

SENATE BILL 350

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CF HB 1446

By: **Senators Patterson, Carozza, Gallion, Lam, and Pinsky**

Introduced and read first time: January 23, 2020

Assigned to: Education, Health, and Environmental Affairs

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 6, 2020

CHAPTER _____

1 AN ACT concerning

2 **State Real Estate Commission – Continuing Education Requirements – Ethics**
3 **and Professionalism**

4 FOR the purpose of altering the subject matter of the continuing education ethics course
5 required for the renewal of a certain license by the State Real Estate Commission to
6 include fraudulent real estate practices and professionalism; and generally relating
7 to continuing education and real estate brokers and salespersons.

8 BY repealing and reenacting, without amendments,
9 Article – Business Occupations and Professions
10 Section 17–315(a)(1)
11 Annotated Code of Maryland
12 (2018 Replacement Volume and 2019 Supplement)

13 BY repealing and reenacting, with amendments,
14 Article – Business Occupations and Professions
15 Section 17–315(b)
16 Annotated Code of Maryland
17 (2018 Replacement Volume and 2019 Supplement)

18 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
19 That the Laws of Maryland read as follows:

20 **Article – Business Occupations and Professions**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 17-315.

2 (a) (1) To qualify for renewal of a license under this subtitle, a licensee shall
3 complete at least 15 clock hours of continuing education instruction, as provided in
4 subsection (b) of this section, during the preceding 2-year term.

5 (b) (1) The Commission shall approve the form, substance, and, as provided
6 under paragraph (2) of this subsection, subject matter of all continuing education courses.

7 (2) The subject matter approved by the Commission shall:

8 (i) relate to real estate or to a subject matter intended to assist a
9 licensee in providing real estate brokerage services to the public in a more efficient and
10 effective manner, provided that the subject matter is related to helping the public buy or
11 sell real estate;

12 (ii) every 2 years, include at least one 3 clock hour course that
13 outlines relevant changes that have occurred in federal, State, or local laws and
14 regulations, court cases and industry trends that have an impact on those laws and
15 regulations, or any combination of those laws, regulations, court cases, and industry trends;

16 (iii) every 2 years, include at least one 1.5 clock hour course that
17 outlines federal, State, and local fair housing laws and regulations, including fair housing
18 advertising;

19 (iv) every 2 years, include at least one 3 clock hour ethics course that
20 includes **A DISCUSSION OF:**

21 1. the Maryland Code of Ethics [and a discussion of the
22 practices];

23 2. **THE PRACTICE** of flipping [and predatory lending];

24 3. **FRAUDULENT REAL ESTATE PRACTICES; AND**

25 4. **PROFESSIONALISM AS IT RELATES TO THE**
26 **MARYLAND CODE OF ETHICS, INCLUDING A DISCUSSION RELATING TO CONFLICT**
27 **RESOLUTION AND A LICENSEE'S DUTY TO RESPECT THE PUBLIC, PEERS, AND**
28 **PROPERTY;**

29 (v) every 2 years, include at least one 3 clock hour course that
30 includes the principles of real estate brokerage relationships and disclosures; and

31 (vi) every 2 years for the renewal of a real estate broker license and
32 the renewal of the license of an individual designated as a branch office manager or a team

1 leader, include at least one 3 clock hour course that includes the requirements of broker
2 supervision.

3 (3) The requirement of paragraph (2)(iii) of this subsection does not apply
4 to a licensee who provides real estate brokerage services solely in connection with
5 nonresidential real estate.

6 (4) To be acceptable for credit as a continuing education course under this
7 section, the course shall cover 1 or more topics approved by the Commission.

8 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
9 October 1, 2020.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.