

**REVENUE: No revenue impact**

**FISCAL: No fiscal impact**

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<b>Action:</b>	Do Pass as Amended and Be Printed Engrossed
<b>Vote:</b>	5 - 0 - 0
<b>Yeas:</b>	Deckert, George L., Monnes Anderson, Starr, Metsger
<b>Nays:</b>	0
<b>Exc.:</b>	0
<b>Prepared By:</b>	Janet Adkins, Administrator
<b>Meeting Dates:</b>	1/24, 2/5, 3/15

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**WHAT THE MEASURE DOES:** Clarifies terms and definitions in the statutes that govern professional real estate licensing. Allows the Real Estate Agency to adopt rules governing maintenance of real estate licensee records outside the state. Allows the agency to adopt rules for inactive or suspended licensees acting on their own behalf in real estate transactions. Specifies that the agency only has authority to issue real estate broker or property management licenses to individuals. Rearranges provisions of statute. Declares an emergency, effective on passage.

**ISSUES DISCUSSED:**

- Housekeeping nature of the changes
- Out of state licensee records

**EFFECT OF COMMITTEE AMENDMENT:** Allows the Real Estate Agency to adopt rules governing maintenance of real estate licensee records outside the state. Adds definitions for expired, lapsed, and inactive licenses. Allows agency to adopt rules for inactive or suspended licensee acting on their own behalf in a real estate transaction. Makes additional corrections to references. Adds an emergency clause, effective on passage.

**BACKGROUND:** Real estate licensing statutes currently use the term “person” in a number of places when the term “individual” should be used instead. The term “person” can include corporations and other entities as well as individuals. By substituting the proper term of “individual,” SB 167-A clarifies that only individuals may hold real estate broker or real estate manager licenses. The bill directs the agency through rulemaking to allow maintenance of licensee records out of state and to specify how and under what circumstances inactive or suspended agents may act on their own behalf in real estate transactions. Definition of the term “non-licensed individual” to include individuals who were never licensed, as well as those whose license is inactive, suspended, revoked, or expired, clarifies that all such individuals are prohibited from engaging in professional real estate activity.