

**HOUSE AMENDMENTS TO
A-ENGROSSED SENATE BILL 640
(INCLUDING AMENDMENTS TO RESOLVE CONFLICTS)**

By COMMITTEE ON BUSINESS AND LABOR

May 28

1 On page 5 of the printed A-engrossed bill, delete lines 27 and 28 and insert:

2 “(a) Has had a professional or occupational license related to the topic of the course revoked
3 for disciplinary reasons, or has a professional or occupational license related to the topic of the
4 course that is currently suspended for disciplinary reasons; or”.

5 On page 6, after line 44, insert:

6 “**SECTION 10.** If House Bill 2910 becomes law, section 7 of this 2009 Act (amending ORS
7 696.280) is repealed and ORS 696.280, as amended by section 7, chapter __, Oregon Laws 2009
8 (Enrolled House Bill 2910), is amended to read:

9 “696.280. (1) A real estate broker or principal real estate broker shall maintain within this state,
10 except as provided in subsection (4) of this section, complete and adequate records of all professional
11 real estate activity conducted by or through the broker. The Real Estate Agency shall specify by
12 rule the records required to establish complete and adequate records of a broker’s professional real
13 estate activity. The only documents the agency may require by rule a real estate broker or principal
14 real estate broker to use or generate are documents that are otherwise required by law or are vol-
15 untarily generated during a real estate transaction.

16 “(2) The records of a real estate broker or a principal real estate broker [*shall*] **must** include
17 records of attendance in continuing education courses by the real estate broker or principal real
18 estate broker. The records of attendance [*shall state the name of the real estate broker or principal*
19 *real estate broker and the date of attendance and shall be the basis for self-certification under ORS*
20 *696.174*] **must meet the requirements of ORS 696.174 (1).**

21 “(3) The records shall at all times be open for inspection by the Real Estate Commissioner or
22 the commissioner’s authorized representatives. The records of each transaction shall be maintained
23 by the licensee for a period of not less than six years after the date the transaction closed or failed.
24 The records may be maintained in any format that allows for inspection and copying by the com-
25 missioner or the commissioner’s representatives, as determined by the commissioner by rule.

26 “(4) The agency may prescribe by rule terms and conditions under which a real estate broker
27 or principal real estate broker may maintain records outside this state.

28 “**SECTION 11.** If House Bill 2910 becomes law, section 9 of this 2009 Act is amended to read:

29 “**Sec. 9.** (1) Sections 4 to 6 of this 2009 Act and the amendments to ORS 696.022, 696.174, 696.280
30 and 696.425 by sections 1, 2, [*7 and*] 8 **and 10** of this 2009 Act become operative on January 1, 2011.

31 “(2) The Real Estate Agency and the Real Estate Board may take any action before the opera-
32 tive date specified in subsection (1) of this section that is necessary to enable the agency and the
33 board to exercise, on and after the operative date specified in subsection (1) of this section, all the
34 duties, functions and powers conferred on the agency and the board by sections 4 to 6 of this 2009

1 Act and the amendments to ORS 696.022, 696.174, 696.280 and 696.425 by sections 1, 2, [7 *and*] 8 **and**
2 **10** of this 2009 Act.”
3 _____