

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1993

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SENATE BILL 913

Short Title: Real Estate Continuing Education.

(Public)

Sponsors: Senators Sherron; Codington, Blackmon, Folger, Albertson, and Carpenter.

Referred to: Judiciary II.

April 19, 1993

A BILL TO BE ENTITLED

AN ACT TO REQUIRE ANNUAL CONTINUING EDUCATION FOR REAL ESTATE BROKERS AND SALESMEN.

The General Assembly of North Carolina enacts:

Section 1. Chapter 93A of the General Statutes is amended by adding a new section to read:

"§ 93A-4A. Continuing education.

(a) The Commission shall establish a program of continuing education and shall require every person licensed as a real estate broker or salesman to present, upon the second license renewal following initial licensure and every renewal thereafter, evidence that during the 12 months preceding the annual license expiration date the person has completed eight classroom hours of real estate instruction in a course or courses approved by the Commission.

(b) The Commission shall establish and implement procedures to defer completion of continuing education for a broker or salesman who is not actively engaged in real estate brokerage.

(c) The Commission may adopt any reasonable rules not inconsistent with this Chapter to give purpose and effect to the continuing education requirement including rules that:

(1) The content and subject matter of continuing education courses;

(2) The curriculum of courses required;

(3) Criteria and standards for the approval of courses, course sponsors, and course instructors;

(4) Methods of instruction;

- 1 (5) Computation of course credit;
2 (6) Carrying course credit over from one year to another;
3 (7) The deferral of continuing education for brokers and salesmen not
4 engaged in brokerage;
5 (8) The waiver of or variance from the continuing education requirement
6 for hardship or other reasons; and
7 (9) Procedures for compliance and sanctions for noncompliance.

8 (d) The Commission may set nonrefundable application fees to be charged to
9 course sponsors for the review and approval of proposed continuing education courses,
10 provided that the fees shall not exceed one hundred twenty-five dollars (\$125.00) per
11 course for initial application and approval and seventy-five dollars (\$75.00) per course
12 for annual review and renewal of approval. The Commission may also require a course
13 sponsor to pay a student fee in an amount not to exceed five dollars (\$5.00) for each
14 licensee completing an approved continuing education course conducted by the sponsor.
15 No application, renewal, or student fee shall be charged in connection with Commission
16 approved continuing education courses conducted by an accredited North Carolina
17 community college, college, university, or junior college, accredited by the Southern
18 Association of Colleges and Schools.

19 (e) The Commission may award continuing education credit for an unapproved
20 course or related educational activity. The Commission may prescribe procedures for
21 the submission of an unapproved course or related educational activity for evaluation
22 and may charge a fee not to exceed fifty dollars (\$50.00) for each submission."

23 Sec. 2. G.S. 93A-4(c) reads as rewritten:

24 "(c) All licenses issued by the Commission under the provisions of this Chapter
25 shall expire on the 30th day of June following issuance or on any other expiration date
26 that the Commission may determine and shall become invalid after that date unless
27 reinstated. A license may be renewed 45 days prior to the expiration date by filing an
28 application with and paying to the Executive Director of the Commission the fee
29 required by the Commission, which may not exceed twenty-five dollars (\$25.00). The
30 Commission may adopt rules establishing a system of license renewal in which the
31 licenses expire annually with varying expiration dates. These rules shall provide for
32 prorating the annual fee to cover the initial renewal period so that no licensee shall be
33 charged an amount greater than the annual fee for any 12-month period. All licenses
34 reinstated after the expiration date thereof shall be subject to a late filing fee of five
35 dollars (\$5.00) in addition to the required renewal fee. In the event a licensee fails to
36 obtain a reinstatement of such license within 12 months after the expiration date thereof,
37 the Commission may, in its discretion, consider such person as not having been
38 previously licensed, and thereby subject to the provisions of this Chapter relating to the
39 issuance of an original license, including the examination requirements set forth herein.
40 Duplicate licenses may be issued by the Commission upon payment of a fee of five
41 dollars (\$5.00) by the licensee. Commission certification of a licensee's license history
42 shall be made only after the payment of a fee of ten dollars (\$10.00)."

43 Sec. 3. This act is effective upon ratification and applies to the renewal of
44 broker and salesman licenses during 1995 and every year thereafter.