

HOUSE BILL 662

C3

3lr2268
CF SB 443

By: **Delegates Rogers, Adams, Amprey, Arentz, Boaf, Fennell, Harrison, Howard, Jackson, A. Johnson, S. Johnson, Pruski, Queen, Rose, Sample-Hughes, Schmidt, Turner, and Valderrama**

Introduced and read first time: February 6, 2023

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Real Estate Brokers, Salespersons, and Associate Brokers – Continuing**
3 **Education Courses – Alterations**

4 FOR the purpose of altering the requirements for the subject matter of continuing
5 education courses for licensees issued an initial license by the State Real Estate
6 Commission; and generally relating to continuing education courses for real estate
7 brokers, salespersons, and associate brokers.

8 BY repealing and reenacting, without amendments,
9 Article – Business Occupations and Professions
10 Section 17–315(a)
11 Annotated Code of Maryland
12 (2018 Replacement Volume and 2022 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 2022 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**

21 17–315.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

4 (2) For a licensee who provides real estate brokerage services solely in
5 connection with nonresidential real estate, of the clock hours required under paragraph (1)
6 of this subsection, 1.5 clock hours may be satisfied by a course regarding fair housing laws
7 and regulations or the federal Americans with Disabilities Act.

8 (3) A licensee holding a license from another state must complete at least
9 the number of clock hours of continuing education instruction required under paragraph
10 (1) of this subsection during each 2-year license term and may substitute clock hours of
11 continuing education instruction earned in another state, if those clock hours:

12 (i) are approved as real estate continuing education in that state;
13 and

14 (ii) meet the distribution requirements of subsection (b)(2) of this
15 section.

16 (4) The Commission shall grant the substitution of clock hours in
17 paragraph (3) of this subsection only if the other state permits the substitution of clock
18 hours of continuing education instruction approved by the Commission for a licensee of this
19 State.

20 (b) (1) The Commission shall approve the form, substance, and, as provided
21 under [paragraph] **PARAGRAPHS (2) AND (3)** of this subsection, subject matter of all
22 continuing education courses.

23 (2) **[The] FOR A LICENSEE WHO HAS BEEN ISSUED A RENEWAL**
24 **CERTIFICATE UNDER § 17-314 OF THIS SUBTITLE, THE** subject matter approved by the
25 Commission shall:

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

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

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

1 (iv) every 2 years, include at least one 3 clock hour ethics course that
2 includes a discussion of:

- 3 1. the Maryland Code of Ethics;
- 4 2. the practice of flipping;
- 5 3. fraudulent real estate practices; and
- 6 4. professionalism as it relates to the Maryland Code of
7 Ethics, including a discussion relating to conflict resolution and a licensee’s duty to respect
8 the public, peers, and property;

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

11 (vi) every 2 years for the renewal of a real estate broker license and
12 the renewal of the license of an individual designated as a branch office manager or a team
13 leader, include at least one 3 clock hour course that includes the requirements of broker
14 supervision.

15 **(3) FOR A LICENSEE WHO WAS ISSUED AN INITIAL LICENSE UNDER §**
16 **17-309 OF THIS SUBTITLE, THE SUBJECT MATTER APPROVED BY THE COMMISSION**
17 **SHALL INCLUDE:**

18 **(I) AT LEAST ONE 3 CLOCK HOUR COURSE FOR EACH OF THE**
19 **FOLLOWING TOPICS:**

20 **1. OUTLINING CONTRACT WRITING, STANDARD**
21 **CONTRACT PROVISIONS, KEY REGIONAL CONTRACT REQUIREMENTS, AND**
22 **STANDARD ADDENDA AND CONTINGENCIES;**

23 **2. THE PRINCIPLES OF REAL ESTATE BROKERAGE**
24 **RELATIONSHIPS AND DISCLOSURES AND DISCLOSURE REQUIREMENTS FOR**
25 **SELLERS;**

26 **3. THE PRINCIPLES OF REAL ESTATE PRACTICE IN**
27 **RELATION TO:**

28 **A. ADVERTISING REQUIREMENTS FOR LICENSEES;**

29 **B. THE HANDLING AND DISCLOSURE OF ESCROW FUNDS;**

30 **AND**

31 **C. COMMON OWNERSHIP COMMUNITIES; AND**

