



AN ACT GENERALLY REVISING LAWS RELATED TO THE BOARD OF REALTY REGULATION; ALLOWING THE BOARD TO HIRE ITS OWN STAFF; AMENDING SECTIONS 2-15-1757 AND 37-51-209, MCA; AND PROVIDING AN EFFECTIVE DATE.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 2-15-1757, MCA, is amended to read:

"2-15-1757. Board of realty regulation. (1) There is a board of realty regulation.

(2) The board consists of seven members appointed by the governor with the consent of the senate. Five members must be licensed real estate brokers, salespeople, or property managers who are actively engaged in the real estate business as a broker, a salesperson, or a property manager in this state. Two members must be representatives of the public who are not state government officers or employees and who are not engaged in business as a real estate broker, a salesperson, or a property manager. The members must be residents of this state.

~~—————(3) Not more than five members, including the presiding officer, may be from the same political party.~~

~~(4)(3) The members shall serve staggered terms of 4 years. A member may serve more than two terms but may not serve more than two consecutive 4-year terms ~~or any portion of two terms.~~~~

~~(5)(4) The board is allocated to the department for ~~administrative~~ administrative purposes only as prescribed in 2-15-121, except that the provisions of 2-15-121(2)(d) and (3)(a) do not apply and the board ~~only~~ as prescribed in 2-15-121 may hire its own staff."~~

Section 2. Section 37-51-209, MCA, is amended to read:

"37-51-209. Executive ~~secretary~~ director and board staff -- hiring and duties -- one-time fee. (1)

The department board may:

(a) establish qualifications and hire or contract for an executive ~~secretary~~ director and legal counsel in consultation with the department to carry out duties prescribed by the board pursuant to the board's

responsibilities and duties established by law; and

(b) authorize the executive director to hire or contract with other administrative and clerical employees as may be necessary to properly carry out the provisions of this chapter.

(2) Employees of the board are state employees. The board may, at its discretion, hire a consultant and establish a one-time fee to pay for that consultant. The consultant shall work with the department to determine how the board's paid staff interacts with department staff.-"

Section 3. Effective date. [This act] is effective July 1, 2013.

- END -

I hereby certify that the within bill,
HB 0363, originated in the House.

Chief Clerk of the House

Speaker of the House

Signed this _____ day
of _____, 2013.

President of the Senate

Signed this _____ day
of _____, 2013.

HOUSE BILL NO. 363

INTRODUCED BY T. BERRY

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