

By: Rotenberry, Warren

To: Judiciary B

HOUSE BILL NO. 958

1 AN ACT TO AMEND SECTION 73-35-17, MISSISSIPPI CODE OF 1972,
2 TO REVISE THE PENALTY FOR RENEWING A DELINQUENT REAL ESTATE
3 LICENSE DURING THE GRACE PERIOD; AND FOR RELATED PURPOSES.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

5 SECTION 1. Section 73-35-17, Mississippi Code of 1972, is
6 amended as follows:

7 73-35-17. (1) A fee not to exceed One Hundred Fifty Dollars
8 (\$150.00) shall accompany an application for a real estate
9 broker's license, and in the event that the applicant successfully
10 passes the examination, no additional fee shall be required for
11 the issuance of a license for a one-year period; provided, that if
12 an applicant fails to pass the examination, he may be eligible to
13 take the next or succeeding examination without the payment of an
14 additional fee. In the event a contract testing service is
15 utilized, the application fee along with the additional testing
16 fee as incurred by the commission in contracting the cost of the
17 examination shall accompany such application.

18 (2) For each license as a real estate broker issued to a
19 member of a partnership, association or officer of a corporation
20 other than the member or officer named in the license issued to
21 such partnership, association or corporation, a fee not to exceed
22 Seventy-five Dollars (\$75.00) shall be charged.

23 (3) A fee not to exceed One Hundred Twenty Dollars (\$120.00)
24 shall accompany an application for a real estate salesperson's
25 license, and in the event that the applicant successfully passes
26 the examination, no additional fee shall be required for the

27 issuance of a license for a one-year period; provided, that if an
28 applicant fails to pass the examination, he may be eligible to
29 take the next or succeeding examination without the payment of an
30 additional fee. In the event a contract testing service is
31 utilized, the applicable fee along with the prevailing cost
32 incurred by the commission in contracting the cost of the
33 examination shall accompany such application.

34 (4) It shall be the duty of all persons, partnerships,
35 associations, companies or corporations licensed to practice as a
36 real estate broker or salesperson to register with the commission
37 annually or biennially, in the discretion of the commission,
38 according to rules promulgated by it and to pay the proper
39 registration fee. An application for renewal of license shall be
40 made to the commission annually no later than December 31 of each
41 year, or biennially on a date set by the commission. A licensee
42 failing to pay his renewal fee after the same becomes due and
43 after two (2) months' written notice of his delinquency mailed to
44 him by United States certified mail addressed to his address of
45 record with the commission shall thereby have his license
46 automatically cancelled. Any licensee renewing in this grace
47 period shall pay a penalty in the amount of twenty-five percent
48 (25%) of the renewal fee. The renewal fee shall not exceed
49 Seventy-five Dollars (\$75.00) per year for real estate brokers,
50 partnerships, associations and corporations. The renewal fee for
51 a real estate salesperson's license shall not exceed Sixty Dollars
52 (\$60.00) per year.

53 (5) For each additional office or place of business, an
54 annual fee not to exceed Fifty Dollars (\$50.00) shall be charged.

55 (6) For each change of office or place of business, a fee
56 not to exceed Fifty Dollars (\$50.00) shall be charged.

57 (7) For each duplicate or transfer of salesperson's license,
58 a fee not to exceed Fifty Dollars (\$50.00) shall be charged.

59 (8) For each duplicate license, where the original license
60 is lost or destroyed, and affidavit made thereof, a fee not to
61 exceed Fifty Dollars (\$50.00) shall be charged.

62 (9) To change status as a licensee from active to inactive
63 status, a fee not to exceed Twenty-five Dollars (\$25.00) shall be

64 charged. To change status as a licensee from inactive to active
65 status, a fee not to exceed Fifty Dollars (\$50.00) shall be
66 charged.

67 (10) For each bad check received by the commission, a fee
68 not to exceed Twenty-five Dollars (\$25.00) shall be charged.

69 (11) A fee not to exceed Five Dollars (\$5.00) per hour of
70 instruction may be charged to allay costs of seminars for
71 educational purposes provided by the commission.

72 (12) A fee not to exceed Twenty-five Dollars (\$25.00) may be
73 charged for furnishing any person a copy of a real estate license,
74 a notarized certificate of licensure or other official record of
75 the commission.

76 (13) A fee not to exceed One Hundred Dollars (\$100.00) shall
77 be charged to review and process the application and instructional
78 materials for each curriculum seeking acceptance as a real estate
79 continuing education course developed to satisfy the mandatory
80 continuing education requirements for this chapter, with the
81 period of approval expiring after one (1) year. A fee not to
82 exceed Fifty Dollars (\$50.00) shall be charged for each renewal of
83 a previously approved course, with the period of renewal expiring
84 after one (1) year.

85 (14) Fees, up to the limits specified herein, shall be
86 established by the Mississippi Real Estate Commission.

87 SECTION 2. This act shall take effect and be in force from
88 and after July 1, 2000.