

By: Representative Frierson

To: Judiciary B

HOUSE BILL NO. 777

1 AN ACT TO AMEND SECTION 73-35-7, MISSISSIPPI CODE OF 1972, TO  
2 REQUIRE THAT CERTAIN COURSES NECESSARY FOR OBTAINING A REAL ESTATE  
3 BROKER OR SALESPERSON LICENSE SHALL BE APPROVED BY THE REAL ESTATE  
4 COMMISSION; AND FOR RELATED PURPOSES.

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

6 SECTION 1. Section 73-35-7, Mississippi Code of 1972, is  
7 amended as follows:

8 73-35-7. Licenses shall be granted only to persons who are  
9 trustworthy and competent to transact the business of a real  
10 estate broker or real estate salesperson in such manner as to  
11 safeguard the interests of the public. Every applicant for a  
12 resident license as a real estate broker: (a) shall be age  
13 twenty-one (21) years or over, a citizen of the United States, and  
14 have his legal domicile in the State of Mississippi at the time he  
15 applies; (b) shall be subject to the jurisdiction of this state,  
16 subject to the income tax laws and other excise laws thereof,  
17 subject to the road and bridge privilege tax laws thereof; (c)  
18 shall not be an elector in any other state; (d) shall have held a  
19 license as an active real estate salesperson for twelve (12)  
20 months immediately prior to making application for the broker's  
21 examination; and (e) shall have successfully completed a minimum  
22 of one hundred twenty (120) classroom hours of courses in real  
23 estate, which courses are approved by the Mississippi Real Estate  
24 Commission, (a semester-hour credit equals fifteen (15) classroom  
25 hours and a quarter-hour credit equals ten (10) classroom hours),  
26 or have successfully completed a minimum of one hundred twenty  
27 (120) classroom hours of real estate education, (i) with the first  
28 ninety (90) classroom hours of real estate education as provided



29 in Graduate Realtors Institute Courses 1, 2 and 3 as approved by  
30 the Mississippi Association of Realtors, Incorporated, and the  
31 National Association of Realtors, Incorporated, and (ii) with the  
32 next thirty (30) classroom hours as provided in Graduate Realtors  
33 Institute Course 4 as approved by the Mississippi Association of  
34 Realtors, Incorporated; or in lieu of Graduate Realtors Institute  
35 Course 4, successful completion of a minimum of thirty (30)  
36 classroom hours of real estate education provided through an  
37 approved professional designation program of an institute, society  
38 or council of the National Association of Realtors, Incorporated,  
39 or thirty (30) classroom hours in college courses in real estate  
40 acceptable for credit toward a degree in the manner hereinabove  
41 provided in this paragraph.

42 An applicant who has not held an active real estate  
43 salesperson's license for a period of at least twelve (12) months  
44 immediately prior to submitting an application shall have  
45 successfully completed a minimum of one hundred fifty (150)  
46 classroom hours in real estate courses, which courses are approved  
47 by the Mississippi Real Estate Commission, or shall have  
48 successfully completed one hundred fifty (150) classroom hours of  
49 real estate education (i) with at least the first ninety (90)  
50 classroom hours as provided in the Graduate Realtors Institute,  
51 with Courses 1, 2 and 3 being approved by the Mississippi  
52 Association of Realtors, Incorporated, and the National  
53 Association of Realtors, Incorporated, and (ii) with the next  
54 thirty (30) classroom hours as provided in the Graduate Realtors  
55 Institute Course 4 as approved by the Mississippi Association of  
56 Realtors, Incorporated, and (iii) with successful completion of a  
57 minimum of thirty (30) classroom hours of real estate education  
58 provided through an approved professional designation program of  
59 an institute, society or council of the National Association of  
60 Realtors, Incorporated, or thirty (30) classroom hours of college  
61 courses in real estate acceptable for credit toward a degree in



62 the manner hereinabove provided in this paragraph; or in lieu of  
63 the preceding combination in items (ii) and (iii), successful  
64 completion of sixty (60) classroom hours of real estate education  
65 provided through an approved, professional designation program of  
66 an institute, society or council of the National Association of  
67 Realtors, Incorporated. The last sixty (60) classroom hours  
68 enumerated in this section may be substituted for by successfully  
69 completing two (2) three-semester-hour courses in real estate that  
70 would be acceptable toward a degree at a college or university as  
71 approved by the Southern Association of Colleges and Schools or  
72 the comparable regional accrediting authority, provided the  
73 applicant meets other such qualifications of the preceding  
74 paragraph. Certification of the successful completion of the  
75 above courses shall be sent to the commission office with the  
76 application to take the broker's examination.

77 No broker's license shall be issued to a partnership,  
78 association, company or corporation unless all the members, owners  
79 or officers thereof who will actively engage in the real estate  
80 business will be licensed as brokers on active status.

81 Every applicant for a resident license as a real estate  
82 salesperson shall be age eighteen (18) years or over, shall be a  
83 citizen of the United States and a bona fide resident of the State  
84 of Mississippi prior to filing his application, and shall have  
85 successfully completed a minimum of sixty (60) classroom hours in  
86 courses in real estate, which courses are approved by the  
87 Mississippi Real Estate Commission, or shall have successfully  
88 completed a minimum of sixty (60) classroom hours of real estate  
89 education as provided in Graduate Realtors Institute Courses 1 and  
90 2 approved by the Mississippi Association of Realtors,  
91 Incorporated, and the National Association of Realtors,  
92 Incorporated. Certification of the successful completion of  
93 either of the above courses shall be sent to the commission with  
94 the application to take the salesperson's examination.



95 No regulation, rule or interpretation shall be adopted or  
96 applied which establishes additional qualifications other than  
97 those established under this section. Any existing regulation,  
98 rule or interpretation which is not in accord with this section is  
99 hereby abrogated and is without effect. The \* \* \* commission  
100 shall publish and supply regulations consistent with this section  
101 to replace existing publications which are contrary to this  
102 section.

103 The educational requirements set forth in this section shall  
104 be effective on July 1, 1994. Provided, those persons holding an  
105 active broker's or salesperson's license on July 1, 1994, shall  
106 not be required to meet the provisions of this section with regard  
107 to the particular license which they hold at that time. The  
108 residency requirements set forth in this section shall not apply  
109 to those licensees of other states who qualify and obtain  
110 nonresident licenses in this state.

111 The commission is authorized to exempt from such prelicensing  
112 educational requirements, in whole or in part, a real estate  
113 licensee of another state who desires to obtain a license under  
114 this chapter; provided, however, that the prelicensing educational  
115 requirements in the other state are determined by the commission  
116 to be equivalent to prelicensing educational requirements in this  
117 state and provided that such state extends this same privilege or  
118 exemption to Mississippi real estate licensees.

119 SECTION 2. This act shall take effect and be in force from  
120 and after July 1, 2001.

