

By: Representatives Rotenberry, Rushing

To: Judiciary B

HOUSE BILL NO. 1161

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, BY DECREASING THE AMOUNT FROM
4 100% TO 25% OF THE APPLICABLE RENEWAL FEE; AND FOR RELATED
5 PURPOSES.

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

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

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

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

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

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

36 (4) It shall be the duty of all persons, partnerships,
37 associations, companies or corporations licensed to practice as a
38 real estate broker or salesperson to register with the commission
39 annually or biennially, in the discretion of the commission,
40 according to rules promulgated by it and to pay the proper
41 registration fee. An application for renewal of license shall be
42 made to the commission annually no later than December 31 of each
43 year, or biennially on a date set by the commission. A licensee
44 failing to pay his renewal fee after the same becomes due and
45 after two (2) months' written notice of his delinquency mailed to
46 him by United States certified mail addressed to his address of
47 record with the commission shall thereby have his license
48 automatically cancelled. Any licensee renewing in this grace
49 period shall pay a penalty in the amount of twenty-five percent
50 (25%) of the renewal fee. The renewal fee shall not exceed
51 Seventy-five Dollars (\$75.00) per year for real estate brokers,
52 partnerships, associations and corporations. The renewal fee for
53 a real estate salesperson's license shall not exceed Sixty Dollars
54 (\$60.00) per year.

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

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

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

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

64 (9) To change status as a licensee from active to inactive
65 status, a fee not to exceed Twenty-five Dollars (\$25.00) shall be
66 charged. To change status as a licensee from inactive to active
67 status, a fee not to exceed Fifty Dollars (\$50.00) shall be
68 charged.

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

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

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

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

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

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