

By: Representative Morris

To: Judiciary B

HOUSE BILL NO. 1241

1 AN ACT TO AMEND SECTION 73-35-18, MISSISSIPPI CODE OF 1972,
2 TO INCREASE THE CONTINUING EDUCATION REQUIREMENTS FOR REAL ESTATE
3 BROKERS AND SALESPERSONS LICENSES; AND FOR RELATED PURPOSES.

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

5 **SECTION 1.** Section 73-35-18, Mississippi Code of 1972, is
6 amended as follows:

7 73-35-18. (1) Each individual applicant for renewal of a
8 license issued by the Mississippi Real Estate Commission shall, on
9 or before the expiration date of his license, or at a time
10 directed by the commission, submit proof of completion of not less
11 than twenty-four (24) clock hours of approved course work to the
12 commission, in addition to any other requirements for renewal.
13 The twenty-four (24) clock hours course work requirement shall
14 apply to each two-year license renewal, and hours in excess
15 thereof shall not be cumulated or credited for the purposes of
16 subsequent license renewals except as provided in this subsection
17 (1). The commission shall develop standards for approval of
18 courses and shall require certification of such course work of the
19 applicant. The commission may determine any required subject
20 matter within the mandated twenty-four (24) hours; provided that
21 the required subjects shall not exceed twelve (12) hours of the
22 total twenty-four (24) hours. Approved continuing education hours
23 earned in the final three (3) months of a licensee's renewal
24 period, if in excess of the required minimum twenty-four (24)
25 hours, may be carried over and credited to the next renewal
26 period. However, no more than six (6) hours may be carried over
27 in this manner. Any member of the Mississippi Legislature who has

28 a real estate license shall be credited with eight (8) hours of
29 credit for the attendance of each year of a legislative session.
30 No person may receive continuing education credit for prelicense
31 education courses taken, except as follows: a licensee whose
32 license is on inactive status and whose continuing education
33 credits are at least thirty (30) hours in arrears may, at the
34 discretion of the commission, receive continuing education credit
35 for retaking prelicense coursework, provided the entire prelicense
36 course is retaken.

37 (2) This section shall apply to renewals of licenses which
38 expire on and after July 1, 1994; however, an applicant for first
39 renewal who has been licensed for not more than one (1) year shall
40 not be required to comply with this section for the first renewal
41 of the applicant's license. The provisions of this section shall
42 not apply to persons who have held a broker's or salesperson's
43 license in this state for at least twenty-five (25) years and who
44 are older than seventy (70) years of age. Inactive licensees are
45 not required to meet the real estate continuing education
46 requirements specified in this section; however, such inactive
47 licensees, before activating their license to active status, must
48 cumulatively meet requirements missed during the period their
49 license was inactive.

50 (3) The commission shall promulgate rules and regulations as
51 necessary to accomplish the purposes of this section in accordance
52 with the Mississippi Administrative Procedures Law.

53 (4) Any person who has been licensed as a real estate broker
54 and allowed his license to expire for a period of less than five
55 (5) years shall be eligible for reinstatement upon completion of
56 the education requirements and payment of all penalties and
57 reinstatement fees as prescribed by the commission. This
58 subsection (4) of this section shall stand repealed from and after
59 December 31, 1994.

60 **SECTION 2.** This act shall take effect and be in force from
61 and after July 1, 2004.