

By: Representative Turner

To: Judiciary B

HOUSE BILL NO. 333

1 AN ACT TO AMEND SECTION 73-35-18, MISSISSIPPI CODE OF 1972,
2 TO REVISE THE AGE FOR EXEMPTION FROM REAL ESTATE BROKER CONTINUING
3 EDUCATION REQUIREMENTS; 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 sixteen (16) clock hours of approved course work to the
12 commission, in addition to any other requirements for renewal.
13 The sixteen (16) clock hours' course work requirement shall apply
14 to each two-year license renewal, and hours in excess thereof
15 shall not be cumulated or credited for the purposes of subsequent
16 license renewals except as provided in this subsection (1). The
17 commission shall develop standards for approval of courses and
18 shall require certification of such course work of the applicant.
19 The commission may determine any required subject matter within
20 the mandated sixteen (16) hours; provided that the required
21 subjects shall not exceed eight (8) hours of the total sixteen
22 (16) hours. Approved continuing education hours earned in the
23 final three (3) months of a licensee's renewal period, if in
24 excess of the required minimum sixteen (16) hours, may be carried
25 over and credited to the next renewal period. However, no more
26 than six (6) hours may be carried over in this manner. Any member
27 of the Mississippi Legislature who has a real estate license shall

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

36 (2) This section shall apply to renewals of licenses which
37 expire on and after July 1, 1994; however, an applicant for first
38 renewal who has been licensed for not more than one (1) year shall
39 not be required to comply with this section for the first renewal
40 of the applicant's license. The provisions of this section shall
41 not apply to persons who have held a broker's or salesperson's
42 license in this state for at least twenty-five (25) years and who
43 are older than sixty-five (65) years of age. Inactive licensees
44 are not required to meet the real estate continuing education
45 requirements specified in this section; however, such inactive
46 licensees, before activating their license to active status, must
47 cumulatively meet requirements missed during the period their
48 license was inactive.

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

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

59 **SECTION 2.** This act shall take effect and be in force from
60 and after July 1, 2006.