

By: Senator(s) Michel

To: Business and Financial
Institutions; Appropriations

SENATE BILL NO. 2389

1 AN ACT TO AMEND SECTION 73-35-17, MISSISSIPPI CODE OF 1972,
2 TO REDUCE THE MAXIMUM AMOUNT OF THE RENEWAL FEE PER YEAR FOR REAL
3 ESTATE BROKERS, PARTNERSHIPS, ASSOCIATIONS AND CORPORATIONS; TO
4 REDUCE THE MAXIMUM AMOUNT OF THE RENEWAL FEE FOR A REAL ESTATE
5 SALESPERSON'S LICENSE FEE PER YEAR; TO REQUIRE THE COMMISSION TO
6 REFUND CERTAIN FEES; AND FOR RELATED PURPOSES.

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

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

10 73-35-17. (1) A fee not to exceed One Hundred Dollars
11 (\$100.00) shall accompany an application for a real estate
12 broker's license, and in the event that the applicant successfully
13 passes the examination, no additional fee shall be required for
14 the issuance of a license for a one-year period; provided, that if
15 an applicant fails to pass the examination, he may be eligible to
16 take the next or succeeding examination without the payment of an
17 additional fee. In the event a contract testing service is
18 utilized, the fee associated with administering the test shall be
19 collected by the testing provider and the application fee for any
20 real estate license shall be collected by the commission.



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

26 (3) A fee not to exceed One Hundred Dollars (\$100.00) shall
27 accompany an application for a real estate salesperson's license,
28 and in the event that the applicant successfully passes the
29 examination, no additional fee shall be required for the issuance
30 of a license for a one-year period; provided, that if an applicant
31 fails to pass the examination, he may be eligible to take the next
32 or succeeding examination without the payment of an additional
33 fee. In the event a contract testing service is utilized, the fee
34 associated with administering the test shall be collected by the
35 testing provider and the application fee for any real estate
36 license shall be collected by the commission.

37 (4) Except as provided in Section 33-1-39, it shall be the
38 duty of all persons, partnerships, associations, companies or
39 corporations licensed to practice as a real estate broker or
40 salesperson to register with the commission annually or
41 biennially, in the discretion of the commission, according to
42 rules promulgated by it and to pay the proper registration fee.
43 An application for renewal of license shall be made to the
44 commission annually no later than December 31 of each year, or
45 biennially on a date set by the commission. A licensee failing to



46 pay his renewal fee after the same becomes due and after two (2)
47 months' written notice of his delinquency mailed to him by United
48 States certified mail addressed to his address of record with the
49 commission shall thereby have his license automatically cancelled.
50 Any licensee renewing in this grace period shall pay a penalty in
51 the amount of one hundred percent (100%) of the renewal fee. The
52 renewal fee shall not exceed * * * Fifty Dollars (\$50.00) per year
53 for real estate brokers, partnerships, associations and
54 corporations. The renewal fee for a real estate salesperson's
55 license shall not exceed * * * Forty Dollars (\$40.00) per year.

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

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

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

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

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



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

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

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

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

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

90 (15) The fees in subsections (1) and (2) of this section
91 shall stand repealed from and after July 1, 2025.

92 (16) Any fees or penalties paid by a licensee for renewal of
93 a license to be effective January 1, 2024, that are in excess of
94 the fees or penalties that would have been owed had the amendments



95 made by this act been effective on July 1, 2023, shall be
96 reimbursed to the licensee.

97 **SECTION 2.** This act shall take effect and be in force from
98 and after July 1, 2024.

