

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1993

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SENATE BILL 913
Judiciary II Committee Substitute Adopted 5/3/93

Short Title: Real Estate Continuing Education.

(Public)

Sponsors:

Referred to: Finance.

April 19, 1993

1 A BILL TO BE ENTITLED
2 AN ACT TO REQUIRE ANNUAL CONTINUING EDUCATION FOR REAL
3 ESTATE BROKERS AND SALESPERSONS.

4 The General Assembly of North Carolina enacts:

5 Section 1. Chapter 93A of the General Statutes is amended by adding a new
6 section to read:

7 "**§ 93A-4A. Continuing education.**

8 (a) The Commission shall establish a program of continuing education and shall
9 require every person licensed as a real estate broker or salesperson to present, upon the
10 second license renewal following initial licensure and every renewal thereafter,
11 evidence that during the 12 months preceding the annual license expiration date the
12 person has completed eight classroom hours of real estate instruction in a course or
13 courses approved by the Commission.

14 (b) The Commission shall establish and implement procedures to defer
15 completion of continuing education for a broker or salesperson who is not actively
16 engaged in real estate brokerage.

17 (c) The Commission may adopt any reasonable rules not inconsistent with this
18 Chapter to give purpose and effect to the continuing education requirement including
19 rules that:

20 (1) The content and subject matter of continuing education courses;

21 (2) The curriculum of courses required;

22 (3) Criteria and standards for the approval of courses, course sponsors,
23 and course instructors;

- 1 (4) Methods of instruction;
2 (5) Computation of course credit;
3 (6) Carrying course credit over from one year to another;
4 (7) The deferral of continuing education for
5 brokers and salespersons not engaged in brokerage;
6 (8) The waiver of or variance from the continuing education requirement
7 for hardship or other reasons; and
8 (9) Procedures for compliance and sanctions for noncompliance.

9 (d) The Commission may set nonrefundable application fees to be charged to
10 course sponsors for the review and approval of proposed continuing education courses.
11 The Commission may also require a course sponsor to pay a student fee for each
12 licensee completing an approved continuing education course conducted by the sponsor.
13 No application, renewal, or student fee shall be charged in connection with
14 Commission-approved continuing education courses conducted by an accredited North
15 Carolina community college, college, university, or junior college, accredited by the
16 Southern Association of Colleges and Schools.

17 (e) The Commission may award continuing education credit for an unapproved
18 course or related educational activity. The Commission may prescribe procedures for
19 the submission of an unapproved course or related educational activity for evaluation
20 and may charge a fee for each submission."

21 Sec. 2. G.S. 93A-4(c) reads as rewritten:

22 "(c) All licenses issued by the Commission under the provisions of this Chapter
23 shall expire on the 30th day of June following issuance or on any other expiration date
24 that the Commission may determine and shall become invalid after that date unless
25 reinstated. A license may be renewed 45 days prior to the expiration date by filing an
26 application with and paying to the Executive Director of the Commission the fee
27 required by the Commission, which may not exceed twenty-five dollars (\$25.00). The
28 Commission may adopt rules establishing a system of license renewal in which the
29 licenses expire annually with varying expiration dates. These rules shall provide for
30 prorating the annual fee to cover the initial renewal period so that no licensee shall be
31 charged an amount greater than the annual fee for any 12-month period. All licenses
32 reinstated after the expiration date thereof shall be subject to a late filing fee of five
33 dollars (\$5.00) in addition to the required renewal fee. In the event a licensee fails to
34 obtain a reinstatement of such license within 12 months after the expiration date thereof,
35 the Commission may, in its discretion, consider such person as not having been
36 previously licensed, and thereby subject to the provisions of this Chapter relating to the
37 issuance of an original license, including the examination requirements set forth herein.
38 Duplicate licenses may be issued by the Commission upon payment of a fee of five
39 dollars (\$5.00) by the licensee. Commission certification of a licensee's license history
40 shall be made only after the payment of a fee of ten dollars (\$10.00)."

41 Sec. 3. This act is effective upon ratification and applies to the renewal of
42 broker and salesperson licenses during 1995 and every year thereafter.