

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2015

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SENATE BILL 294

Short Title: Changes to Real Estate Broker License Fees. (Public)

Sponsors: Senators Gunn (Primary Sponsor); Lee, McInnis, Smith, and Wells.

Referred to: Rules and Operations of the Senate.

March 17, 2015

A BILL TO BE ENTITLED

AN ACT TO INCREASE THE FEE FOR REAL ESTATE BROKER LICENSE APPLICATIONS AND REINSTATEMENTS AND TO INCREASE THE CAP FOR RENEWAL FEES.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 93A-4 reads as rewritten:

"§ 93A-4. Applications for licenses; fees; qualifications; examinations; privilege licenses; renewal or reinstatement of license; power to enforce provisions.

(a) Any person, partnership, corporation, limited liability company, association, or other business entity hereafter desiring to enter into business of and obtain a license as a real estate broker shall make written application for such license to the Commission in the form and manner prescribed by the Commission. Each applicant for a license as a real estate broker shall be at least 18 years of age. Each applicant for a license as a real estate broker shall, within three years preceding the date the application is made, have satisfactorily completed, at a school approved by the Commission, an education program consisting of at least 75 hours of ~~classroom~~ instruction in subjects determined by the Commission, or shall possess real estate education or experience in real estate transactions which the Commission shall find equivalent to the education program. Each applicant for a license as a real estate broker shall be required to pay a fee, ~~fixed by the Commission but not to exceed thirty dollars (\$30.00)-fee.~~ The application fee shall be one hundred dollars (\$100.00) unless the Commission sets the fee at a higher amount by rule; however, the Commission shall not set a fee that exceeds two hundred dollars (\$200.00). The application fee shall not increase by more than ten dollars (\$10.00) during a 12-month period.

(a1) Each person who is issued a real estate broker license on or after April 1, 2006, shall initially be classified as a provisional broker and shall, within three years following initial licensure, satisfactorily complete, at a school approved by the Commission, a postlicensing education program consisting of 90 hours of ~~classroom~~ instruction in subjects determined by the Commission or shall possess real estate education or experience in real estate transactions which the Commission shall find equivalent to the education program. The Commission may, by rule, establish a schedule for completion of the prescribed postlicensing education that requires provisional brokers to complete portions of the 90-hour postlicensing education program in less than three years, and provisional brokers must comply with this schedule in order to be entitled to actively engage in real estate brokerage. Upon completion of the postlicensing education program, the provisional status of the broker's license shall be terminated. When a provisional broker fails to complete all 90 hours of required postlicensing education within three years following initial licensure, the broker's license shall be placed on



1 inactive status. The broker's license shall not be returned to active status until he or she has
2 satisfied such requirements as the Commission may by rule require. Every license cancelled
3 after April 1, 2009, because the licensee failed to complete postlicensing education shall be
4 reinstated on inactive status until such time as the licensee satisfies the requirements for
5 returning to active status as the Commission may by rule require.

6 ...

7 (c) All licenses issued by the Commission under the provisions of this Chapter shall
8 expire on the 30th day of June following issuance or on any other date that the Commission
9 may determine and shall become invalid after that date unless reinstated. A license may be
10 renewed 45 days prior to the expiration date by filing an application with and paying to the
11 Executive Director of the Commission the license renewal fee. The license renewal fee ~~is thirty~~
12 ~~dollars (\$30.00)~~ shall be forty-five dollars (\$45.00) unless the Commission sets the fee at a
13 higher amount. ~~The amount by rule; however, the Commission may~~ shall not set the license
14 renewal fee at an amount that ~~does not exceed fifty dollars (\$50.00).~~ exceeds two hundred
15 dollars (\$200.00). The license renewal fee may not increase by more than ~~five dollars (\$5.00)~~
16 ten dollars (\$10.00) during a 12-month period. The Commission may adopt rules establishing a
17 system of license renewal in which the licenses expire annually with varying expiration dates.
18 These rules shall provide for prorating the annual fee to cover the initial renewal period so that
19 no licensee shall be charged an amount greater than the annual fee for any 12-month period.
20 The fee for reinstatement of an ~~expired~~ expired, revoked, or suspended license shall be
21 ~~fifty five dollars (\$55.00).~~ an amount equal to two times the license renewal fee at the time the
22 application for reinstatement is submitted. In the event a licensee fails to obtain a reinstatement
23 of such license within six months after the expiration date thereof, the Commission may, in its
24 discretion, consider such person as not having been previously licensed, and thereby subject to
25 the provisions of this Chapter relating to the issuance of an original license, including the
26 examination requirements set forth herein. Duplicate licenses may be issued by the
27 Commission upon payment of a fee of five dollars (\$5.00) by the licensee. Commission
28 certification of a licensee's license history shall be made only after the payment of a fee of ten
29 dollars (\$10.00).

30"

31 **SECTION 2.** This act becomes effective January 1, 2016.