

STATE OF OKLAHOMA

1st Session of the 46th Legislature (1997)

HOUSE JOINT
RESOLUTION NO. 1054

By: Gray

AS INTRODUCED

A Joint Resolution relating to rules of the Oklahoma Real Estate Commission; disapproving adopted permanent rules OAC 605:10-5-1.1(a)(2), OAC 605:10-5-1.1(h) and OAC 605:10-7-8.2(a)(6) regarding approval of postlicense course offerings and association licensing procedures and requirements of good standing; directing adoption and promulgation of certain rules; directing distribution; and declaring an emergency.

WHEREAS, pursuant to Sections 250.2 and 308 of Title 75 of the Oklahoma Statutes, the Legislature reserves the right to designate the method for rule promulgation, establish policy, determine that a rule is not consistent with legislative intent and disapprove any rule or any portion thereof at any time; and

WHEREAS, the Oklahoma Real Estate Commission adopted permanent rules OAC 605:10-5-1.1(a)(2), OAC 605:10-5-1.1(h) and OAC 605:10-7-8.2(a)(6) on March 12, 1997, regarding approval of postlicense course offerings and association licensing procedures and requirements of good standing; and

WHEREAS, permanent rules OAC 605:10-5-1.1(a)(2), 605:10-5-1.1(h) and 605:10-7-8.2(a)(6) establish a One Hundred Dollar (\$100.00) application fee for each postlicense course, a Twenty-five Dollar (\$25.00) application fee for course facility approval and a Fifteen Dollar (\$15.00) change of status fee; and

WHEREAS, the Legislature strongly opposes fee increases and considers new fees imposed on the public to be burdensome and excessive.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES AND THE SENATE OF THE 1ST SESSION OF THE 46TH OKLAHOMA LEGISLATURE:

SECTION 1. The Legislature hereby disapproves adopted permanent rules OAC 605:10-5-1.1(a)(2), OAC 605:10-5-1.1(h) and OAC 605:10-7-8.2(a)(6).

SECTION 2. The Legislature hereby directs and authorizes, in accordance with subsection H of Section 308 of Title 75 of the Oklahoma Statutes, the Oklahoma Real Estate Commission to adopt and promulgate emergency rules which do not include new fees, but incorporates the remaining language of adopted permanent rules OAC 605:10-5-1.1(h) and OAC 605:10-7-8.2(a)(6).

SECTION 3. The Secretary of State is hereby directed to distribute copies of this resolution to the Governor, the Executive Director of the Oklahoma Real Estate Commission and the Editor of "The Oklahoma Register".

SECTION 4. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

46-1-7764

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