ENGROSSED HOUSE
BILL NO. 1510

By: Worthen, Wilt, Adkins and Calvey of the House

and

Paddack of the Senate

An Act relating to professions and occupations; amending 59 O.S. 2001, Sections 858-302, as amended by Section 2, Chapter 142, O.S.L. 2004, and 858-303 (59 O.S. Supp. 2004, Section 858-302), which relate to the Oklahoma Real Estate License Code; modifying number of hours required of certain instruction; and providing an effective date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 59 O.S. 2001, Section 858-302, as amended by Section 2, Chapter 142, O.S.L. 2004 (59 O.S. Supp. 2004, Section 858-302), is amended to read as follows:

Section 858-302. A. Any person of good moral character, eighteen (18) years of age or older, and who shall submit to the Commission evidence of successful completion of ~~forty-five (45)~~ ninety (90) clock hours or its equivalent as determined by the Commission of basic real estate instruction in a course of study approved by the Commission, may apply to the Commission to take an examination for the purpose of securing a license as a provisional sales associate.

B. Application shall be made upon forms prescribed by the Commission and shall be accompanied by an examination fee as provided for in this Code and all information and documents the Commission may require.

C. The applicant shall appear in person before the Commission for an examination which shall be in the form and inquire into the subjects the Commission shall prescribe.

D. If it shall be determined that the applicant shall have passed the examination, received final approval of the application, and paid the appropriate license fee provided for in this Code along with the Oklahoma Real Estate Education and Recovery Fund fee, the Commission shall issue to the applicant a provisional sales associate license.

E. Following the issuance of a provisional sales associate license, the licensee shall then submit to the Commission, prior to the expiration of the provisional license, evidence of successful completion of forty-five (45) clock hours or its equivalent as determined by the Commission of posteducation real estate instruction in a course(s) of study approved by the Commission. A provisional sales associate who fails to submit evidence of compliance with the posteducation requirement pursuant to this section, prior to the first expiration date of the provisional sales associate license, shall not be entitled to renew such license for another license term. However, the Commission shall promulgate rules for those persons called into active military service for purposes of satisfying the posteducation requirement.

SECTION 2. AMENDATORY 59 O.S. 2001, Section 858-303, is amended to read as follows:

Section 858-303. A. Any person of good moral character, who holds a renewable sales associate license and who shall have had two (2) years' experience, within the previous five (5) years, as a licensed real estate sales associate or provisional sales associate, or its equivalent, and who shall submit to the Commission evidence of successful completion of ~~seventy-five (75)~~ ninety (90) clock hours or its equivalent as determined by the Commission of advanced real estate instruction in a course of study approved by the Commission, which instruction shall be in addition to any instruction required for securing a license as a real estate sales associate, may apply to the Commission to take an examination for

the purpose of securing a license as a real estate broker or broker associate.

B. Application shall be made upon forms prescribed by the Commission and shall be accompanied by an examination fee as provided for in this Code and all information and documents the Commission may require.

C. The applicant shall appear in person before the Commission for an examination which shall be in the form and shall inquire into the subjects which the Commission shall prescribe.

D. If it shall be determined that the applicant shall have passed the examination, received final approval of the application, and paid the appropriate license fee provided for in this Code along with the Oklahoma Real Estate Education and Recovery Fund fee, the Commission shall issue to the applicant a broker or broker associate license.

SECTION 3. This act shall become effective November 1, 2006.

Passed the House of Representatives the 8th day of March, 2005.

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Presiding Officer of the House of Representatives

Passed the Senate the ____ day of _____, 2005.

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Presiding Officer of the Senate