

3 Senate Bill No. 1877

4 SENATE BILL NO. 1877 - By: RABON of the Senate and PIATT of the
5 House.

6 An Act relating to professions and occupations; amending 59
7 O.S. 2001, Sections 2090, as amended by Section 7, Chapter
8 469, O.S.L. 2002 and Section 9, Chapter 469, O.S.L. 2002, as
9 amended by Section 2, Chapter 112, O.S.L. 2005 (59 O.S.
10 Supp. 2005, Sections 2090 and 2093), which relate to the
11 Mortgage Broker Licensure Act; requiring certain
12 recommendations be enacted by a vote of the Commission on
13 Consumer Credit; providing for enforcement of certain
14 enacted recommendations; providing for certain continuing
15 education requirements for mortgage loan originator
16 licensees; and providing an effective date.

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

18 SECTION 1. AMENDATORY 59 O.S. 2001, Section 2090, as
19 amended by Section 7, Chapter 469, O.S.L. 2002 (59 O.S. Supp. 2005,
20 Section 2090), is amended to read as follows:

21 Section 2090. A. There is hereby created the "Mortgage Broker
22 Advisory Committee" which shall advise the Commission on Consumer
23 Credit on matters pertaining to the licensure, regulation, and
24 discipline of mortgage brokers and mortgage loan originators
25 required to be licensed under the provisions of the Mortgage Broker
26 Licensure Act. Any recommendations made by the Mortgage Broker
27 Advisory Committee to the Commission on Consumer Credit pertaining
28 to the licensure, regulation and discipline of mortgage brokers and
29 mortgage loan originators shall be enacted by a vote of the

1 Commission and enforced by the Administrator of the Department of
2 Consumer Credit.

3 B. 1. Except as provided in paragraph 2 of this subsection,
4 the Committee shall be comprised of four ~~(4)~~ licensed mortgage
5 brokers and one person with experience in the title industry. Three
6 members of the Committee shall be appointed by the Governor, two
7 licensed mortgage brokers and one person with experience in the
8 title industry. The remaining two members of the Committee shall be
9 appointed by the Oklahoma Association of Mortgage Brokers. Each
10 member shall serve a term of three (3) years and until a successor
11 is appointed and qualified. Members may be removed for misconduct,
12 incompetency, or neglect of duty.

13 2. Members initially appointed to the Committee shall have been
14 active in the mortgage broker business in this state for at least
15 two (2) years prior to appointment and shall complete licensure
16 requirements within one (1) year of appointment. Initial members
17 shall serve staggered terms as follows: two members shall be
18 appointed for a term of one (1) year each, two members shall be
19 appointed for a term of two (2) years each, and one member shall be
20 appointed for a term of three (3) years. Thereafter, these members
21 may be appointed for three-year terms of office. All terms of
22 office shall expire on October 31.

1 C. The Committee shall elect a chair from among its membership.
2 Meetings shall be held at least quarterly. Special meetings may be
3 called by request of the Commission. A majority of the Committee
4 shall constitute a quorum for the transaction of business. Each
5 member shall receive reimbursement for travel expenses in accordance
6 with the provisions of the State Travel Reimbursement Act. The
7 Committee shall be subject to the provisions of the Oklahoma Open
8 Meeting Act and the Oklahoma Open Records Act.

9 SECTION 2. AMENDATORY Section 9, Chapter 469, O.S.L.
10 2002, as amended by Section 2, Chapter 112, O.S.L. 2005 (59 O.S.
11 Supp. 2005, Section 2093), is amended to read as follows:

12 Section 2093. A. As a condition of renewal or reactivation of
13 the mortgage broker license or the mortgage loan originator license,
14 each licensee shall submit to the Administrator of Consumer Credit
15 evidence of completion of a specified number of hours of continuing
16 education courses approved by the Administrator, within the
17 preceding term for which the license is to be issued. The number of
18 hours, or its equivalent, required for each licensed term shall be
19 determined by the Mortgage Broker Advisory Committee and promulgated
20 by rule. Each licensee shall be required to complete and include as
21 part of said continuing education a certain number of required
22 subjects as prescribed by rule.

1 B. The continuing education courses required by this section
2 shall be satisfied by courses approved by the Administrator and
3 offered by:

4 1. The Commission on Consumer Credit;

5 2. A technology center school;

6 3. A college or university;

7 4. A private school;

8 5. The Oklahoma Association of Mortgage Brokers, the National
9 Association of Mortgage Brokers, or any affiliate thereof;

10 6. The Oklahoma Bar Association, American Bar Association, or
11 any affiliate thereof; or

12 7. An education provider.

13 C. The Administrator shall maintain a list of courses which are
14 approved by the Administrator.

15 D. The Administrator shall not issue an active renewal license
16 or reactivate a license unless the continuing education requirement
17 set forth in this section is satisfied within the prescribed time
18 period.

19 E. The provisions of this section do not apply:

20 1. During the period a license is on inactive status; or

21 2. To a nonresident licensee licensed in this state if the
22 licensee maintains a current license in another state and has

1 satisfied the continuing education requirement for license renewal
2 in that state.

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

4 COMMITTEE REPORT BY: COMMITTEE ON BUSINESS AND LABOR, dated 2-27-06
5 - DO PASS, As Coauthored.