

1 STATE OF OKLAHOMA

2 1st Session of the 54th Legislature (2013)

3 HOUSE BILL 1355

By: Cooksey

4  
5  
6 AS INTRODUCED

7 An Act relating to professions and occupations;  
8 amending 59 O.S. 2011, Sections 858-302, 858-303,  
9 858-304, which relates to The Oklahoma Real Estate  
10 License Code; modifying eligibility for certain  
11 licenses; making certain education requirements valid  
12 for certain time; requiring additional education for  
13 certain applicants; and providing an effective date.

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

15 SECTION 1. AMENDATORY 59 O.S. 2011, Section 858-302, is  
16 amended to read as follows:

17 Section 858-302. A. Any person of good moral character,  
18 eighteen (18) years of age or older, and who shall submit to the  
19 Commission evidence of successful completion of ninety (90) clock  
20 hours or its equivalent as determined by the Commission of basic  
21 real estate instruction in a course of study approved by the  
22 Commission, may apply to the Commission to take an examination for  
23 the purpose of securing a license as a provisional sales associate.  
24 The education required in this subsection shall only be valid for a  
period of three (3) years from the date the school certified

1 successful completion of the course; thereafter, the applicant shall  
2 be required to successfully complete an additional ninety (90) clock  
3 hours or its equivalent in basic real estate instruction.

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

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

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

17 E. Following the issuance of a provisional sales associate  
18 license, the licensee shall then submit to the Commission, prior to  
19 the expiration of the provisional license, evidence of successful  
20 completion of forty-five (45) clock hours or its equivalent as  
21 determined by the Commission of ~~posteducation~~ postlicense education  
22 real estate instruction in a course(s) of study approved by the  
23 Commission. A provisional sales associate who fails to submit  
24 evidence of compliance with the ~~posteducation~~ postlicense education

1 requirement pursuant to this section, prior to the first expiration  
2 date of the provisional sales associate license, shall not be  
3 entitled to renew such license for another license term. However,  
4 the Commission shall promulgate rules for those persons called into  
5 active military service for purposes of satisfying the ~~posteducation~~  
6 postlicense education requirement.

7 SECTION 2. AMENDATORY 59 O.S. 2011, Section 858-303, is  
8 amended to read as follows:

9 Section 858-303. A. Any person of good moral character, who  
10 holds a renewable sales associate license and who shall have had two  
11 (2) years' experience, within the previous five (5) years, as a  
12 licensed real estate sales associate or provisional sales associate,  
13 or its equivalent, and who shall submit to the Commission evidence  
14 of successful completion of ninety (90) clock hours or its  
15 equivalent as determined by the Commission of advanced real estate  
16 instruction in a course of study approved by the Commission, which  
17 instruction shall be in addition to any instruction required for  
18 securing a license as a real estate sales associate, may apply to  
19 the Commission to take an examination for the purpose of securing a  
20 license as a real estate broker or broker associate. The education  
21 required in this subsection shall only be valid for a period of  
22 three (3) years from the date the school certified successful  
23 completion of the course; thereafter, the applicant shall be  
24

1 required to successfully complete an additional ninety (90) clock  
2 hours or its equivalent in basic real estate instruction.

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

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

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

16 SECTION 3. AMENDATORY 59 O.S. 2011, Section 858-304, is  
17 amended to read as follows:

18 Section 858-304. A. A certified transcript from an institution  
19 of higher education, accredited by the Oklahoma State Regents for  
20 Higher Education or the corresponding accrediting agency of another  
21 state, certifying to the successful completion of a six-academic-  
22 hour basic course of real estate instruction, or its equivalent, for  
23 which college credit was given, shall be prima facie evidence of  
24 successful completion of the clock hours of basic real estate

1 instruction for a provisional sales associate applicant as required  
2 in Section 858-302 of this Code. The education required in this  
3 subsection shall only be valid for a period of three (3) years from  
4 the date the school certified successful completion of the course;  
5 thereafter, the applicant shall be required to successfully complete  
6 an additional six-academic-hour basic course of real estate  
7 instruction, or its equivalent.

8 B. A certified transcript from an institution of higher  
9 education, accredited by the Oklahoma State Regents for Higher  
10 Education or the corresponding accrediting agency of another state,  
11 certifying to the successful completion of a three-academic-hour  
12 course of real estate instruction, or its equivalent, consisting of  
13 the provisional sales associate ~~postlicensing educational~~  
14 postlicense education requirements for which college credit was  
15 given, shall be prima facie evidence of successful completion of the  
16 clock hours of real estate instruction for the postlicense education  
17 requirement as required in Section 858-302 of this title.

18 C. A certified transcript from an institution of higher  
19 education, accredited by the Oklahoma State Regents for Higher  
20 Education or the corresponding agency of another state, certifying  
21 to the successful completion of a six-academic-hour advanced course  
22 of real estate instruction, or its equivalent, for which college  
23 credit was given, shall be prima facie evidence of successful  
24 completion of the clock hours of advanced real estate instruction,

1 or its equivalent, as required in Section 858-303 of this Code for a  
2 broker applicant.

3 D. Each school, whether public or private other than  
4 institutions of higher education, must present to the Commission its  
5 syllabus of instruction, prior to approval of such school.

6 SECTION 4. This act shall become effective November 1, 2013.

7

8 54-1-5523 LRB 01/10/13

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24