

HOUSE SUBSTITUTE FOR
SENATE BILL NO. 641

A bill to amend 1980 PA 299, entitled
"Occupational code,"
by amending sections 2502a, 2504, and 2508 (MCL 339.2502a,
339.2504, and 339.2508), section 2502a as added by 2002 PA 611,
section 2504 as amended by 2003 PA 196, and section 2508 as amended
by 1988 PA 16, and by adding section 2504a.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 2502a. (1) ~~Beginning November 1, 2003, the~~ **THE** department
2 shall issue a license for **A** real estate broker, associate real
3 estate broker, and real estate salesperson for a term of 3 years.

4 **(2) THE DEPARTMENT SHALL RENEW A LICENSE FOR A REAL ESTATE**
5 **BROKER, ASSOCIATE REAL ESTATE BROKER, OR REAL ESTATE SALESPERSON IF**
6 **THE DEPARTMENT RECEIVES AN APPLICATION FOR RENEWAL ON A FORM**
7 **PRESCRIBED BY THE DEPARTMENT, AND PAYMENT OF THE APPROPRIATE FEES,**

1 WITHIN THE TIME PERIOD DESCRIBED IN SECTION 411(1) OR (2), AND THE
2 APPLICABLE REQUIREMENTS OF SECTION 2504A ARE MET.

3 (3) THE DEPARTMENT MAY RELICENSE WITHOUT EXAMINATION A PERSON
4 THAT FAILS TO RENEW A LICENSE ISSUED UNDER THIS ARTICLE WITHIN THE
5 TIME PERIOD DESCRIBED IN SUBSECTION (2) IF ALL OF THE FOLLOWING ARE
6 MET:

7 (A) THE PERSON APPLIES WITHIN 3 YEARS AFTER THE EXPIRATION
8 DATE OF THE PERSON'S LAST LICENSE.

9 (B) THE PERSON PAYS AN APPLICATION PROCESSING FEE, THE LATE
10 RENEWAL FEE, AND THE PER-YEAR LICENSE FEE FOR THE UPCOMING
11 LICENSURE PERIOD.

12 (C) PROOF OF THE PERSON'S COMPLETION OF 6 CLOCK HOURS OF
13 CONTINUING EDUCATION FOR EACH YEAR AND PARTIAL YEAR THAT HAVE
14 ELAPSED SINCE THE EXPIRATION OF THE PERSON'S LAST LICENSE, ON THE
15 TOPICS DESCRIBED IN SECTION 2504A(1), IS SUBMITTED TO THE
16 DEPARTMENT BY THE PROVIDER OF THOSE HOURS OF CONTINUING EDUCATION.

17 (4) THE DEPARTMENT MAY RELICENSE A PERSON THAT FAILED TO RENEW
18 A REAL ESTATE BROKER LICENSE WITHIN 3 YEARS AFTER THE EXPIRATION
19 DATE OF THE PERSON'S LAST LICENSE IF THE PERSON PAYS AN APPLICATION
20 PROCESSING FEE, THE LATE RENEWAL FEE, AND THE PER-YEAR LICENSE FEE
21 FOR THE UPCOMING LICENSURE PERIOD AND SUBMITS PROOF THAT THE
22 PERSON, IF THE PERSON IS AN INDIVIDUAL, OR THE INDIVIDUAL
23 DESIGNATED AS THE PERSON'S PRINCIPAL UNDER SECTION 2505 IF THE
24 PERSON IS NOT AN INDIVIDUAL, MEETS ANY OF THE FOLLOWING:

25 (A) HAS COMPLETED A TOTAL OF 6 CLOCK HOURS OF CONTINUING
26 EDUCATION FOR EACH YEAR AND PARTIAL YEAR THAT HAVE ELAPSED SINCE
27 THE EXPIRATION OF THE PERSON'S LAST LICENSE, ON THE TOPICS

1 DESCRIBED IN SECTION 2504A(1) .

2 (B) HAS COMPLETED 90 CLOCK HOURS OF PRELICENSURE COURSES
3 DESCRIBED IN SECTION 2504(3) .

4 (C) HAS PASSED THE EXAMINATION REQUIRED FOR A REAL ESTATE
5 BROKER LICENSE UNDER SECTION 2505(5) .

6 (5) THE DEPARTMENT MAY RELICENSE AN INDIVIDUAL WHO FAILED TO
7 RENEW A REAL ESTATE SALESPERSON LICENSE WITHIN 3 YEARS AFTER THE
8 EXPIRATION DATE OF HIS OR HER LAST LICENSE IF HE OR SHE PAYS AN
9 APPLICATION PROCESSING FEE, THE LATE RENEWAL FEE, AND THE PER-YEAR
10 LICENSE FEE FOR THE UPCOMING LICENSURE PERIOD AND SUBMITS PROOF
11 THAT HE OR SHE MEETS ANY OF THE FOLLOWING:

12 (A) HAS COMPLETED A TOTAL OF 6 CLOCK HOURS OF CONTINUING
13 EDUCATION FOR EACH YEAR AND PARTIAL YEAR THAT HAVE ELAPSED SINCE
14 THE EXPIRATION OF HIS OR HER LAST LICENSE, ON THE TOPICS DESCRIBED
15 IN SECTION 2504A(1) .

16 (B) HAS COMPLETED 40 CLOCK HOURS OF PRELICENSURE COURSES
17 DESCRIBED IN SECTION 2504(3) .

18 (C) HAS PASSED THE EXAMINATION REQUIRED FOR A REAL ESTATE
19 SALESPERSON LICENSE UNDER SECTION 2505(5) .

20 Sec. 2504. (1) ~~Before receiving~~ BOTH OF THE FOLLOWING MUST BE
21 MET BEFORE AN APPLICANT RECEIVES a real estate broker's license ~~7~~
22 ~~an applicant shall~~ UNDER THIS ARTICLE:

23 (A) THE APPLICANT MUST submit an application ~~as described in~~
24 UNDER section 2505. ~~and shall have successfully completed not less~~
25 ~~than~~

26 (B) THE APPLICANT, IF THE APPLICANT IS AN INDIVIDUAL, OR THE
27 INDIVIDUAL DESIGNATED AS THE PRINCIPAL OF THE APPLICANT UNDER

1 **SECTION 2505 IF THE APPLICANT IS NOT AN INDIVIDUAL, MUST**
2 **SUCCESSFULLY COMPLETE AT LEAST** 90 clock hours of approved
3 **PRELICENSURE** classroom courses in real estate, of which ~~not less~~
4 ~~than~~ **AT LEAST** 9 clock hours ~~shall be~~ **IS** instruction on civil rights
5 law and equal opportunity in housing. The 90 hours ~~shall be~~ **ARE** in
6 addition to the hours required to obtain a real estate
7 salesperson's license.

8 (2) Before ~~being~~ **HE OR SHE IS** permitted to take the real
9 estate salesperson's examination, ~~an~~ **THE** applicant ~~shall~~ **MUST** show
10 proof ~~of successful completion of not less than~~ **THAT HE OR SHE HAS**
11 **SUCCESSFULLY COMPLETED AT LEAST** 40 clock hours of **APPROVED**
12 **PRELICENSURE** classroom courses in principles of real estate, of
13 which ~~not less than~~ **AT LEAST** 4 clock hours ~~shall be~~ **IS** instruction
14 on civil rights law and equal opportunity in housing.

15 (3) For purposes of subsections (1) and (2), approved
16 **PRELICENSURE** courses may be on the following topics:

17 (a) Real estate license law and related regulatory laws.

18 (b) Real property law, including property interests and
19 restrictions.

20 (c) Federal, state, and local tax laws affecting real
21 property.

22 (d) Conveyances, including contracts, deeds, and leases.

23 (e) Financing, including mortgages, land contracts,
24 foreclosure, and limits on lending procedures and interest rates.

25 (f) Appraisal of real property.

26 (g) Design and construction.

27 (h) Marketing, exchanging, and counseling.

1 (i) The law of agency.

2 (j) Sales and office management, including listing and selling
3 techniques.

4 (k) Real estate securities and syndications.

5 (l) Investments, including property management.

6 ~~—— (4) Except as otherwise provided in this subsection, before~~
7 ~~being permitted to renew an active real estate broker's or real~~
8 ~~estate salesperson's license, a licensee shall have successfully~~
9 ~~completed, within the preceding 12 months, not less than 6 clock~~
10 ~~hours of continuing education approved by the department involving~~
11 ~~any topics relevant to the management, operation, and practice of~~
12 ~~real estate and covering changes in economic conditions, law,~~
13 ~~rules, court cases, and interpretations, or any combination of~~
14 ~~those changes, relating to real property which are pertinent to the~~
15 ~~activities of a real estate broker or real estate salesperson.~~
16 ~~Beginning November 1, 2003, a licensee shall complete not less than~~
17 ~~18 hours of continuing education per 3 year license cycle. A~~
18 ~~licensee shall complete at least 6 hours of the required 18 hours~~
19 ~~of continuing education courses during the time period from~~
20 ~~November 1, 2003 and ending on December 31, 2004. During calendar~~
21 ~~year 2005, a licensee shall complete at least 6 hours of the~~
22 ~~required 18 hours of continuing education courses. During calendar~~
23 ~~year 2006, a licensee shall complete at least 4 hours of the~~
24 ~~required 18 hours of continuing education courses. During calendar~~
25 ~~year 2007 and thereafter, a licensee shall complete at least 2~~
26 ~~hours per calendar year of the required 18 hours of continuing~~
27 ~~education courses. Any education successfully completed by a~~

1 ~~licensee for further professional designation and approved by the~~
2 ~~department as continuing education may be counted toward the total~~
3 ~~continuing education credits required for the 3 year license cycle.~~
4 ~~Each licensee, in completing the appropriate number of clock hours,~~
5 ~~will have the option of selecting the education courses in that~~
6 ~~licensee's area of expertise, as long as the education courses are~~
7 ~~approved by the department and as long as at least 2 hours of an~~
8 ~~education course per calendar year involve law, rules, and court~~
9 ~~eases regarding real estate. Notwithstanding the provisions of this~~
10 ~~subsection, the department may renew the license of a licensee who~~
11 ~~has completed not less than 18 hours of continuing education in the~~
12 ~~subject matter areas required by this subsection during the 3 year~~
13 ~~license cycle but has not otherwise met the requirements of this~~
14 ~~section if the licensee provides evidence satisfactory to the~~
15 ~~department that he or she has good cause for not complying with the~~
16 ~~requirements in this subsection.~~

17 ~~—— (5) The department may relicense without examination a~~
18 ~~licensee whose license has lapsed for less than 3 years if the~~
19 ~~licensee shows proof of completion of not less than 6 clock hours~~
20 ~~of continuing education for each year the license was lapsed, on~~
21 ~~topics as described in subsection (4).~~

22 ~~—— (6) The department may relicense a broker whose license has~~
23 ~~lapsed for 3 or more continuous years if the licensee provides~~
24 ~~proof of the successful completion of 1 of the following:~~

25 ~~—— (a) Six clock hours of continuing education for each of the~~
26 ~~years the license was lapsed on topics described in subsection (4).~~

27 ~~—— (b) Ninety clock hours of instruction described in subsections~~

1 ~~(1) and (3).~~

2 ~~—— (c) Passing the examination required for licensure as a broker~~
3 ~~as provided for in section 2505(5).~~

4 ~~—— (7) A salesperson whose license has been lapsed for 3 or more~~
5 ~~continuous years may be relicensed if the licensee provides proof~~
6 ~~of the successful completion of 1 of the following:~~

7 ~~—— (a) Six clock hours of continuing education for each of the~~
8 ~~years the license was lapsed on topics described in subsection (4).~~

9 ~~—— (b) Forty clock hours of instruction described in subsections~~
10 ~~(2) and (3).~~

11 ~~—— (c) Passing the examination required for licensure as a~~
12 ~~salesperson as provided in section 2505(5).~~

13 ~~—— (8) The department shall not apply the course credits used to~~
14 ~~meet continuing education requirements provided in subsections (4)~~
15 ~~through (7) towards the real estate broker's license education~~
16 ~~requirements provided in subsection (1), and course credits taken~~
17 ~~under real estate broker's license education requirements shall not~~
18 ~~be applied towards the continuing education requirements. The~~
19 ~~department shall apportion the approved course credits eligible for~~
20 ~~education requirements in subsection (1) and subsections (4)~~
21 ~~through (7) to meet either requirement upon the licensee's request.~~

22 ~~—— (9) For real estate brokers, associate brokers, and~~
23 ~~salespersons who receive a license issued in the second or third~~
24 ~~years of a 3 year license cycle, continuing education shall be in~~
25 ~~compliance with subsection (4), except for the following:~~

26 ~~—— (a) A real estate broker, associate broker, or salesperson who~~
27 ~~receives a license issued in the second year of the 3 year license~~

1 ~~cycle is required to complete 12 hours of continuing education to~~
 2 ~~renew his or her license.~~

3 ~~—— (b) A real estate broker, associate broker, or salesperson who~~
 4 ~~receives a license issued in the third year of the 3 year licensing~~
 5 ~~cycle is required to complete 6 hours of continuing education to~~
 6 ~~renew his or her license.~~

7 (4) ~~(10)~~ A person ~~who~~ **THAT** offers or conducts a course or
 8 courses of study represented to meet the educational requirements
 9 of this ~~article~~ **SECTION SHALL** first ~~shall~~ obtain approval from the
 10 department and shall comply with the rules of the department
 11 concerning curriculum, instructor qualification, grading system,
 12 and other related matters. In addition to other requirements
 13 imposed under rule, in order to receive approval a course shall be
 14 designed to be taught for ~~not less than~~ **AT LEAST** 1 clock hour, not
 15 including time spent on breaks, meals, or other unrelated
 16 activities, provided the course is only approved for less than 2
 17 clock hours if, based ~~upon~~ **ON** the subject matter, course outline,
 18 instructional materials, methodology, and other considerations
 19 consistent with rules of the department, the department determines
 20 that the course objectives can be effectively met in the proposed
 21 time period. The department may suspend or revoke the approval of a
 22 person for a violation of this article or of the rules promulgated
 23 under this article. A person ~~offering or conducting~~ **THAT OFFERS OR**
 24 **CONDUCTS** a course shall not represent that its students are assured
 25 of passing an examination required by the department. A person
 26 shall not represent that the issuance of departmental approval is a
 27 recommendation or indorsement of the person to which it is issued

1 or of a course of instruction given by it. A ~~pre-licensure~~
 2 **PRELICENSURE** course approved under this ~~article~~-**SECTION** shall be
 3 conducted by a local public school district, a community college,
 4 an institution of higher education authorized to grant degrees, or
 5 a proprietary school licensed by the department ~~of career~~
 6 ~~development~~ under **THE PROPRIETARY SCHOOLS ACT**, 1943 PA 148, MCL
 7 395.101 to 395.103.

8 (5) ~~(11)~~-A person ~~who in operating a school~~-**THAT** violates
 9 subsection ~~(10)~~-**(4) IN OPERATING A SCHOOL THAT PROVIDES 1 OR MORE**
 10 **COURSES DESCRIBED IN THIS SECTION** is subject to the penalties set
 11 forth in article 6.

12 (6) ~~(12)~~-The department may conduct, hold, or assist in
 13 conducting or holding, a real estate clinic, meeting, course, or
 14 institute, which shall be open to a person licensed under this
 15 article, and may incur the necessary expenses in connection with
 16 the clinic, meeting, course, or institute. The department, in the
 17 public interest, may assist educational institutions ~~within~~-**IN** this
 18 state in sponsoring studies, research, and programs for the purpose
 19 of raising the standards of professional practice in real estate
 20 and the competence of a licensee.

21 **SEC. 2504A. (1) WITHIN EACH 3-YEAR LICENSE CYCLE, A LICENSEE**
 22 **SHALL SUCCESSFULLY COMPLETE AT LEAST 18 CLOCK HOURS OF CONTINUING**
 23 **EDUCATION COURSES THAT INVOLVE ANY TOPICS THAT ARE RELEVANT TO THE**
 24 **MANAGEMENT, OPERATION, AND PRACTICE OF REAL ESTATE OR THAT ARE**
 25 **OTHERWISE PERTINENT TO THE ACTIVITIES OF A REAL ESTATE BROKER OR**
 26 **REAL ESTATE SALESPERSON. ALL OF THE FOLLOWING APPLY TO THIS**
 27 **CONTINUING EDUCATION REQUIREMENT:**

1 (A) IN EACH CALENDAR YEAR OF EACH 3-YEAR LICENSE CYCLE, A
2 LICENSEE SHALL COMPLETE AT LEAST 2 HOURS OF THE REQUIRED 18 HOURS
3 OF CONTINUING EDUCATION COURSES.

4 (B) IN COMPLETING THE APPROPRIATE NUMBER OF CONTINUING
5 EDUCATION COURSES, A LICENSEE MAY SELECT EDUCATION COURSES IN HIS
6 OR HER AREA OF EXPERTISE, BUT AT LEAST 2 HOURS OF THE EDUCATION
7 COURSES IN A CALENDAR YEAR MUST INVOLVE LAW, RULES, AND COURT CASES
8 REGARDING REAL ESTATE.

9 (C) AT THE TIME HE OR SHE ATTENDS A CONTINUING EDUCATION
10 COURSE, A LICENSEE SHALL DO BOTH OF THE FOLLOWING TO CONFIRM HIS OR
11 HER IDENTITY:

12 (i) PRESENT HIS OR HER POCKET CARD, OR PROVIDE HIS OR HER
13 LICENSE IDENTIFICATION NUMBER, FROM THE DEPARTMENT TO THE COURSE
14 PROVIDER.

15 (ii) PRESENT HIS OR HER OPERATOR'S LICENSE OR CHAUFFEUR'S
16 LICENSE ISSUED UNDER THE MICHIGAN VEHICLE CODE, 1949 PA 300, MCL
17 257.1 TO 257.923, AN OFFICIAL STATE PERSONAL IDENTIFICATION CARD
18 ISSUED UNDER 1972 PA 222, MCL 28.291 TO 28.300, OR OTHER
19 GOVERNMENT-ISSUED PHOTO IDENTIFICATION TO THE COURSE PROVIDER.

20 (D) ANY EDUCATION COURSE THAT THE LICENSEE SUCCESSFULLY
21 COMPLETES TO OBTAIN A PROFESSIONAL DESIGNATION IS COUNTED TOWARD
22 THE TOTAL CONTINUING EDUCATION CREDITS REQUIRED IN A 3-YEAR LICENSE
23 CYCLE.

24 (E) IF A LICENSEE SUCCESSFULLY COMPLETES A CONTINUING
25 EDUCATION COURSE, HE OR SHE DOES NOT EARN ADDITIONAL HOURS TOWARD
26 THE REQUIREMENTS OF THIS SECTION IF HE OR SHE REPEATS THAT COURSE.

27 (2) AN APPLICANT FOR LICENSE RENEWAL UNDER SECTION 2502A SHALL

1 CERTIFY COMPLIANCE WITH SUBSECTION (1) TO THE DEPARTMENT. A
2 LICENSEE SHALL RETAIN DOCUMENTATION THAT DEMONSTRATES HE OR SHE HAS
3 MET THE CONTINUING EDUCATION REQUIREMENTS UNDER THIS SECTION FOR AT
4 LEAST 4 YEARS AFTER THE DATE OF THAT CERTIFICATION AND SHALL
5 PRODUCE THE RECORD THAT CONTAINS THAT EVIDENCE AT THE REQUEST OF
6 THE DEPARTMENT.

7 (3) AN APPLICANT FOR LICENSE RENEWAL UNDER SECTION 2502A IS
8 SUBJECT TO AUDIT BY THE DEPARTMENT FOR COMPLIANCE WITH SUBSECTION
9 (1) AND MAY BE REQUIRED TO SUBMIT THE DOCUMENTATION DESCRIBED IN
10 SUBSECTION (2) TO THE DEPARTMENT ON REQUEST. IF A COURSE INCLUDED
11 IN THE AUDIT BY THE DEPARTMENT UNDER THIS SUBSECTION WAS PREVIOUSLY
12 REVIEWED AND APPROVED BY A STATEWIDE REAL ESTATE TRADE ASSOCIATION
13 CONTRACTED WITH THE DEPARTMENT FOR THAT PURPOSE UNDER SECTION 210,
14 THE COURSE IS CONSIDERED TO MEET CONTINUING EDUCATION REQUIREMENTS
15 UNDER THIS SECTION WITHOUT FURTHER REVIEW BY THE DEPARTMENT.

16 (4) IF THE DEPARTMENT FINDS AS THE RESULT OF AN AUDIT UNDER
17 SUBSECTION (3) THAT AN APPLICANT FOR LICENSE RENEWAL UNDER SECTION
18 2502A HAS NOT COMPLETED SUFFICIENT HOURS OF CONTINUING EDUCATION TO
19 RENEW HIS OR HER LICENSE, THE DEPARTMENT MAY ALLOW THE APPLICANT TO
20 RENEW HIS OR HER LICENSE BY COMPLETING A SUFFICIENT NUMBER OF
21 ADDITIONAL HOURS OF CONTINUING EDUCATION TO FULFILL THE
22 REQUIREMENTS FOR THE PERIOD DETERMINED BY AUDIT TO BE DEFICIENT AND
23 AN ADDITIONAL 4 HOURS OF CONTINUING EDUCATION FOR EACH 60-DAY
24 PERIOD NEEDED TO REMOVE THE DEFICIENCY. THE ADDITIONAL 4 HOURS OF
25 CONTINUING EDUCATION FOR EACH 60-DAY PERIOD OF TIME NEEDED TO
26 REMOVE THE DEFICIENCY SHALL NOT APPLY TOWARD CONTINUING EDUCATION
27 REQUIRED IN THE NEXT 3-YEAR LICENSE CYCLE. THE DEPARTMENT MAY WAIVE

1 THE REQUIREMENT FOR ADDITIONAL HOURS IF THE APPLICANT DEMONSTRATES
2 TO THE DEPARTMENT THAT THE ADDITIONAL HOURS WOULD PRESENT AN UNDUE
3 HARDSHIP ON THE APPLICANT.

4 (5) A REAL ESTATE BROKER, ASSOCIATE BROKER, OR SALESPERSON WHO
5 RECEIVES A LICENSE ISSUED IN THE SECOND OR THIRD YEAR OF A 3-YEAR
6 LICENSE CYCLE IS REQUIRED TO COMPLY WITH THE CONTINUING EDUCATION
7 REQUIREMENTS UNDER SUBSECTION (1), EXCEPT AS FOLLOWS:

8 (A) A REAL ESTATE BROKER, ASSOCIATE BROKER, OR SALESPERSON WHO
9 RECEIVES A LICENSE ISSUED IN THE SECOND YEAR OF THE 3-YEAR LICENSE
10 CYCLE IS REQUIRED TO COMPLETE 12 HOURS OF CONTINUING EDUCATION.

11 (B) A REAL ESTATE BROKER, ASSOCIATE BROKER, OR SALESPERSON WHO
12 RECEIVES A LICENSE ISSUED IN THE THIRD YEAR OF THE 3-YEAR LICENSE
13 CYCLE IS REQUIRED TO COMPLETE 6 HOURS OF CONTINUING EDUCATION.

14 (6) COURSE CREDITS USED TO MEET CONTINUING EDUCATION
15 REQUIREMENTS UNDER THIS SECTION DO NOT APPLY TOWARD THE REAL ESTATE
16 BROKER'S LICENSE PRELICENSURE EDUCATION REQUIREMENTS UNDER SECTION
17 2504, AND COURSE CREDITS SUCCESSFULLY COMPLETED UNDER REAL ESTATE
18 BROKER'S LICENSE PRELICENSURE EDUCATION REQUIREMENTS UNDER SECTION
19 2504 DO NOT APPLY TOWARD THE CONTINUING EDUCATION REQUIREMENTS OF
20 THIS SECTION.

21 Sec. 2508. (1) ~~A~~ **THE DEPARTMENT MAY ISSUE A** real estate
22 broker's license ~~may be issued to~~ an individual, sole
23 proprietorship, partnership, association, corporation, **LIMITED**
24 **LIABILITY COMPANY**, common law trust, or a combination of those
25 entities. A real estate broker's license **THAT IS** issued to an
26 individual or a sole proprietorship ~~shall entitle~~ **ENTITLES** the
27 individual named on the license to perform acts regulated ~~by~~ **UNDER**

1 this article. Subject to subsection (2), a real estate broker's
2 license issued to a partnership, association, corporation, **LIMITED**
3 **LIABILITY COMPANY**, common law trust, or a combination of those
4 entities ~~shall entitle~~ **ENTITLES** those individuals designated as
5 principals under section 2505(1) to perform acts regulated ~~by~~ **UNDER**
6 this article. A broker's license issued to a partnership,
7 association, corporation, **LIMITED LIABILITY COMPANY**, common law
8 trust, or a combination of those entities is not transferable.

9 (2) Before performing acts regulated under this article, each
10 principal shall apply for and obtain, and any other individual may
11 apply for and obtain, an associate real estate broker's license. An
12 applicant for an associate real estate broker's license ~~shall be~~ **IS**
13 subject to the same requirements as an applicant for a real estate
14 broker's license. ~~An~~ **THE DEPARTMENT SHALL ONLY ISSUE AN** associate
15 real estate broker's license ~~shall only be issued to individuals.~~ **AN**
16 **INDIVIDUAL.**

17 (3) The associate real estate broker's license of a principal
18 who ceases to be connected with a partnership, association,
19 corporation, **LIMITED LIABILITY COMPANY**, common law trust, or a
20 combination of those entities ~~shall be~~ **IS** suspended automatically.

21 (4) An associate real estate broker's license **THAT IS** issued
22 to a principal is not transferable. An associate real estate
23 broker's license issued to a nonprincipal may be transferred in the
24 same manner as provided in section 2507 for the transfer of a real
25 estate salesperson's license.

26 (5) ~~Upon the revocation of~~ **IF** a real estate broker's license
27 **IS REVOKED**, the licenses of all real estate salespersons **WHO ARE**

1 employed by the real estate broker and all affiliated associate
2 real estate brokers ~~shall~~ **ARE** automatically ~~be~~ suspended, pending a
3 change of employer and the issuance of a new license. ~~A~~ **THE**
4 **DEPARTMENT SHALL ISSUE A** new license ~~shall be issued~~ **UNDER THIS**
5 **SUBSECTION** without charge ~~—~~ if the license is issued during the
6 same term in which the original license was issued.

7 (6) **IN THE EVENT OF THE DEATH OR DISABILITY OF A SOLE**
8 **PRINCIPAL ASSOCIATE BROKER, THE DEPARTMENT SHALL ALLOW ALL**
9 **AFFILIATED REAL ESTATE LICENSEES A REASONABLE TIME TO EITHER WIND**
10 **UP THE BUSINESS OF THE REAL ESTATE BROKER OR DESIGNATE A NEW**
11 **PRINCIPAL ASSOCIATE BROKER.**

12 Enacting section 1. This amendatory act takes effect upon the
13 expiration of 90 days after the date it is enacted into law.