

**SUBSTITUTE FOR
HOUSE BILL NO. 4717**

A bill to amend 1980 PA 299, entitled
"Occupational code,"
by amending section 2504a (MCL 339.2504a), as amended by 2020 PA
342.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 2504a. (1) Subject to subsection ~~(7)~~, **(6)**, a licensee
2 must successfully complete at least the following number of hours
3 of eligible continuing education courses in each license cycle:

4 (a) Beginning with the license cycle after the effective date
5 of the rules promulgated under subsection ~~(2)(e)~~, **(2)(f)**, the
6 number of hours determined by the department by rule.

7 (b) In each license cycle before the license cycle described
8 in subdivision (a), 18 clock hours.

1 (2) All of the following apply to the continuing education
2 requirement described in subsection (1):

3 (a) In completing the appropriate number of hours of eligible
4 continuing education courses, a licensee must complete ~~at least 2~~
5 ~~hours of the following number of hours of~~ eligible continuing
6 education courses in each year of a license cycle:

7 (i) **Not less than 2 hours of courses** that involve ~~law,~~ **laws,**
8 rules, and court cases regarding real estate.

9 (ii) **Not less than 1 hour of courses that involve compliance**
10 **with local, state, or federal fair housing laws.**

11 (b) ~~The~~ **After accounting for the hours required under**
12 **subdivision (a),** a licensee may select any continuing education
13 courses in ~~his or her~~ **the licensee's** area of expertise to complete
14 the remaining hours of eligible continuing education courses
15 required under subsection (1) and may complete those hours at any
16 time during the license cycle. ~~For purposes of this subdivision~~
17 ~~only, the license cycle year beginning November 1, 2019 ends on~~
18 ~~December 31, 2020.~~

19 (c) ~~(b)~~ **At the time he or she a licensee** attends an eligible
20 continuing education course, ~~a~~ **the** licensee shall do both of the
21 following to confirm ~~his or her~~ **the licensee's** identity:

22 (i) Present ~~his or her~~ **the licensee's** pocket card, or provide
23 ~~his or her~~ **the licensee's** license identification number, from the
24 department to the course provider.

25 (ii) Present ~~his or her~~ **the licensee's** operator's license or
26 chauffeur's license issued under the Michigan vehicle code, 1949 PA
27 300, MCL 257.1 to 257.923, an official state personal
28 identification card issued under 1972 PA 222, MCL 28.291 to 28.300,
29 or other government-issued photo identification to the course

1 provider.

2 (d) ~~(e)~~ If a licensee successfully completes an education
3 course to obtain a professional designation, the number of hours of
4 that course is counted toward the total number of hours of
5 continuing education courses required in a license cycle.

6 (e) ~~(d)~~ If a licensee successfully completes an eligible
7 continuing education course, ~~he or she~~ **the licensee** does not earn
8 additional hours toward the requirements of this section if ~~he or~~
9 ~~she~~ **the licensee** repeats that course.

10 (f) ~~(e)~~ The department by rule shall do all of the following:

11 (i) Determine and provide for the publication of the number of
12 hours of eligible continuing education courses a licensee must
13 successfully complete in a license cycle, including the ~~2 hours of~~
14 ~~courses involving statutes, rules, and court cases~~ required **hours**
15 in each year of a license cycle under subdivision (a). The
16 department shall determine the number of hours that are required in
17 a license cycle by multiplying the number of years in the license
18 cycle by 6.

19 (ii) Establish the standards for determining if a continuing
20 education course is an eligible continuing education course for
21 purposes of this section.

22 (3) An applicant for license renewal under section 2502a shall
23 certify compliance with subsections (1) and (2) to the department.
24 A licensee shall retain evidence acceptable to the department that
25 demonstrates ~~he or she~~ **the licensee** has met the continuing
26 education requirements under this section, for ~~at least~~ **not less**
27 **than** 4 years after the date of that certification, and shall
28 produce the following information at the request of the department:

29 (a) The name and contact information of the continuing

1 professional education program sponsor.

2 (b) The participant's name.

3 (c) The course title and course field of study.

4 (d) The date the course was offered or completed.

5 (e) If applicable, the location of the course.

6 (f) Verification by a representative of the continuing
7 professional education program sponsor of the participant's
8 completion of the course.

9 (g) The number of hours of instruction included in the course
10 and a time statement from the continuing professional education
11 program sponsor that states that continuing professional education
12 credits for the course were granted on a 50-minute hour.

13 (4) An applicant for license renewal under section 2502a is
14 subject to audit by the department for compliance with subsections
15 (1) and (2), or ~~(7)~~, **(6)**, and may be required to submit the
16 documentation described in subsection (3) to the department on
17 request.

18 (5) If the department finds as the result of an audit under
19 subsection (4) that an applicant for license renewal under section
20 2502a did not complete sufficient hours of eligible continuing
21 education courses to renew ~~his or her~~ **the licensee's** license, any
22 penalty imposed by the department ~~shall~~ **must** include a requirement
23 that the licensee ~~must complete both of the following, if~~
24 ~~applicable:~~

25 ~~(a) A~~ **a** sufficient number of additional hours of continuing
26 education to fulfill the requirements for the period determined by
27 audit to be deficient.

28 ~~(b) If the period determined by the audit to be deficient is~~
29 ~~at least 60 days, additional hours of continuing education in 1 of~~

1 ~~the following amounts:~~

2 ~~(i) If the deficiency period is at least 60 days and less than~~
 3 ~~120 days, 4 hours.~~

4 ~~(ii) If the deficiency period is 120 days or more, 8 hours.~~

5 ~~(6) Hours of additional continuing education required under~~
 6 ~~subsection (5) (b) do not apply toward continuing education required~~
 7 ~~in a license cycle. The department may waive the requirement for~~
 8 ~~additional hours under subsection (5) (b) if the applicant~~
 9 ~~demonstrates to the department that the additional hours would~~
 10 ~~present an undue hardship on the applicant.~~

11 ~~(6) (7)~~—If a real estate broker, associate real estate broker,
 12 or salesperson receives a license that is issued after the
 13 beginning of the current license cycle for that license, the
 14 department may prorate the number of hours of eligible continuing
 15 education that licensee is required to complete under subsections
 16 (1) and (2) for the year of the license cycle in which the license
 17 is issued.

18 ~~(7) (8)~~—Course credits used to meet continuing education
 19 requirements under this section do not apply toward the real estate
 20 broker's license prelicensure education requirements under section
 21 2504, and course credits successfully completed under real estate
 22 broker's license prelicensure education requirements under section
 23 2504 do not apply toward the continuing education requirements of
 24 this section.

25 ~~(8) (9)~~—As used in this section, "eligible continuing
 26 education course" means a continuing education course that meets
 27 the standards established by the department by rule under
 28 subsection ~~(2) (e)~~ **(2) (f)** and, if successfully completed by a
 29 licensee, is counted toward the licensee's continuing education

1 requirements under this section.