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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2013

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A N A C T

RELATING TO BUSINESSES AND PROFESSIONS - REAL ESTATE BROKERS AND SALESPERSONS

Introduced By: Senator Dawson T. Hodgson

Date Introduced: February 26, 2013

Referred To: Senate Corporations

(by request)

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 5-20.5-6 of the General Laws in Chapter 5-20.5 entitled "Real  
2 Estate Brokers and Salespersons" is hereby amended to read as follows:

3 **5-20.5-6. Duration of licenses -- Rules and regulations -- Suspension or revocation of**  
4 **licenses. --** (a) If the director is satisfied that the applicant is competent and trustworthy and is  
5 reasonably familiar with the statutes and law relating to real estate, he or she shall issue to the  
6 applicant a license to act as a real estate broker or a real estate salesperson. The director shall  
7 promulgate rules and regulations mandating the term of license for each category of license  
8 issued pursuant to this chapter. No license shall remain in force for a period in excess of three (3)  
9 years. Any fee for the initial issuance of a license or for renewal of a license issued pursuant to  
10 this chapter is determined by multiplying the current annual fee by the term of years of the license  
11 or renewal. The fee for the total number of years of the initial license or of the renewal shall be  
12 paid in full prior to the issuance of the respective license. The license shall be renewed upon  
13 payment of the renewal fee, and proof of completion of any continuing education requirements as  
14 set forth in the rules and regulations issued by the department of business regulation. Any license  
15 issued or renewed may be suspended or revoked by the director, for cause, prior to the expiration  
16 date. The director shall issue reasonable rules and regulations with the consent of the majority of  
17 the Rhode Island real estate commission governing the conduct of licensed real estate brokers and  
18 salespersons, these rules and regulations shall be designed to implement the laws and policies of

1 this state and to protect the interests of the public.

2 (b) Any rules or regulations promulgated with regard to the requirement of continuing  
3 education for the renewal of any real estate broker's and/or salesperson's license whose  
4 application for an initial broker's and/or salesperson's license is approved within one hundred  
5 eighty (180) days of the expiration date of his or her initial license is not subject to the continuing  
6 education requirement at the time of his or her first renewal. [Attorneys holding real estate licenses](#)  
7 [pursuant to section 5-20.5-4 shall be automatically credited ten \(10\) hours towards the continuing](#)  
8 [education credit as long as they remain in good standing with the mandatory continuing legal](#)  
9 [education commission.](#) The director, after a due and proper hearing, may suspend, revoke, or  
10 refuse to renew any license upon proof that it was obtained by fraud or misrepresentation or that  
11 the holder of the license has been guilty of fraud or misrepresentation or criminal acts in the  
12 performance of his or her functions, or upon proof that the holder of the license has violated this  
13 statute or any rule or regulation issued pursuant to this statute.

14 (c) The director shall, for licenses issued or renewed after July 1, 2004, require proof of,  
15 reasonable familiarity with and knowledge of duties and responsibilities established by the Lead  
16 Poisoning Prevention Act, chapter 24.6 of title 23 of the general laws, and the Lead Hazard  
17 Mitigation Act, chapter 128.1 of title 42 of the general laws. Notwithstanding the provisions of  
18 subsection (b) above, the requirements of this subsection shall apply to first renewals when  
19 licenses were initially issued before July 1, 2004. This subsection shall be put into force and  
20 effect by the director in the manner set forth in chapter 128.1 of title 42 and with the advice of the  
21 Rhode Island Real Estate Commission.

22 SECTION 2. This act shall take effect upon passage.

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF

A N A C T

RELATING TO BUSINESSES AND PROFESSIONS - REAL ESTATE BROKERS AND  
SALESPERSONS

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- 1           This act would automatically credit attorneys holding real estate licenses with ten (10)
- 2   hours towards continuing education credit.
- 3           This act would take effect upon passage.

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