

HOUSE BILL NO. 205

IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-FIFTH LEGISLATURE - FIRST SESSION

BY THE HOUSE LABOR AND COMMERCE COMMITTEE BY REQUEST

Introduced: 3/16/07

Referred: Labor and Commerce, Finance

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to real estate broker and real estate salesperson licensing; and**
2 **providing for an effective date."**

3 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

4 *** Section 1.** AS 08.88.091(b) is amended to read:

5 (b) An applicant for licensure under AS 08.88.171(c) must complete **40** [20]
6 hours of education approved by the commission before the person may be licensed
7 under that subsection.

8 *** Sec. 2.** AS 08.88.095(a) is amended to read:

9 (a) In addition to the continuing educational requirements of AS 08.88.091(d),
10 within one year after the date that the commission issues an initial license under this
11 chapter, the licensee shall complete **30** [20] hours of education approved by the
12 commission under AS 08.88.091.

13 *** Sec. 3.** AS 08.88.171(c) is amended to read:

14 (c) A natural person qualifies for a real estate salesperson license if the person

1 passes the real estate salesperson examination, applies for the license within six
 2 months after passing the examination, submits satisfactory proof of successful
 3 completion of the education requirements of AS 08.88.091, is at least 19 years of age,
 4 is not under indictment for forgery, theft, extortion, conspiracy to defraud creditors, or
 5 any other felony involving moral turpitude, or, if convicted of such an offense, **seven**
 6 **years have elapsed since** the person [HAS] completed the sentence imposed upon
 7 conviction, and is employed by a real estate broker. Unless the salesperson fails to
 8 satisfy the educational requirements of AS 08.88.095 or renew the license, or the real
 9 estate salesperson's license is suspended or revoked, a real estate salesperson's license
 10 continues in effect as long as the salesperson is employed as a salesperson by a
 11 licensed real estate broker. If the salesperson stops being employed as a real estate
 12 salesperson, the real estate salesperson's license is suspended from the time the
 13 salesperson stops until the salesperson satisfies the educational requirements of
 14 AS 08.88.098 and again is employed as a real estate salesperson by a licensed real
 15 estate broker.

16 * **Sec. 4.** AS 08.88.291 is amended by adding a new subsection to read:

17 (e) Notwithstanding (a) of this section, a person registered as a real estate
 18 broker under this chapter may reside out of state, if the broker

19 (1) does not employ any real estate licensees; or

20 (2) employs real estate licensees at an office in the state and all those
 21 licensees are under the direct supervision of a real estate associate broker.

22 * **Sec. 5.** AS 08.88 is amended by adding a new section to read:

23 **Sec. 08.88.305. Multiple business operations.** A person licensed as a real
 24 estate broker may own, operate, or be employed by multiple corporations,
 25 partnerships, or other business organizations engaging in activities for which a license
 26 is required under this chapter, provided that each business organization is registered
 27 with the commission, and that the principal offices of all of the business organizations
 28 share a single physical address.

29 * **Sec. 6.** AS 08.88.685(a) is amended to read:

30 (a) A broker shall adopt [A] written **policies and procedures available to the**
 31 **commission and to members of the public on request** [POLICY] that

- 1 **(1) require real estate licensees to comply with all real estate laws;**
 2 **(2) require real estate licensees to act fairly and honestly in all**
 3 **dealings;**
 4 **(3) require real estate licensees to notify the broker or a broker**
 5 **designee of any legal dispute or allegation of wrongdoing from a seller, buyer,**
 6 **lessor, or lessee;**
 7 **(4) require real estate licensees to maintain regular communication**
 8 **with the broker or a broker designee; and**
 9 **(5) identify and describe** [IDENTIFIES AND DESCRIBES] the
 10 relationships in which the broker and the real estate licensees who work for the broker
 11 may engage with a seller, buyer, lessor, or lessee. [THE BROKER SHALL MAKE
 12 THE WRITTEN POLICY AVAILABLE TO THE COMMISSION AND TO
 13 MEMBERS OF THE PUBLIC ON REQUEST.]

14 * **Sec. 7.** This Act takes effect February 1, 2008.