



LAWS OF ALASKA

1990

Source

Chapter No.

SSSB 288

105

AN ACT

Relating to the Real Estate Commission; and providing for an effective date.

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

THE ACT FOLLOWS ON PAGE 1, LINE 9

UNDERLINED MATERIAL INDICATES TEXT THAT IS BEING ADDED TO THE LAW AND BRACKETED MATERIAL IN CAPITAL LETTERS INDICATES DELETIONS FROM THE LAW; COMPLETELY NEW TEXT OR MATERIAL REPEALED AND RE-ENACTED IS IDENTIFIED IN THE INTRODUCTORY LINE OF EACH BILL SECTION.

Approved by the Governor: June 14, 1990
Actual Effective Date: AS 08.88.091(b), as enacted by sec. 2 of this Act, and secs. 3 - 5 of this Act take effect January 1, 1991; AS 08.88.091(c), as enacted by sec. 2 of this Act, takes effect July 1, 1991; AS 08.88.091(d), as enacted by sec. 2 of this Act, takes effect January 1, 1992; remainder of Act takes effect June 15, 1990

AN ACT

Relating to the Real Estate Commission; and providing
for an effective date.

* Section 1. AS 08.88.081 is amended to read:

Sec. 08.88.081. COMMISSION REGULATIONS. The commission shall adopt regulations necessary to carry out the purposes of this chapter [PERTAINING TO THE RESPONSIBILITIES OF PERSONS LICENSED UNDER THIS CHAPTER AND THE GROUNDS FOR REVOKING OR SUSPENDING A LICENSE].

* Sec. 2. AS 08.88.091 is amended by adding new subsections to read:

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

(c) An applicant for licensure under AS 08.88.171(a) or (b) must complete 15 hours of education approved by the commission before the person may be licensed under either of those subsections.

(d) A person who is licensed under this chapter must complete 20 hours of continuing education approved by the commission before the person's license may be renewed.

(e) The commission may not approve an education or continuing education course required under this section unless the commission certifies the course outline and approves the instructor of the course before the course is conducted.

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

(a) A person is eligible for [ENTITLED TO] a real estate broker

1 license if the person passes the real estate brokers examination, if
2 the person applies for a license within six months after the person
3 has taken the real estate brokers examination, if the person furnishes
4 satisfactory proof of successful completion of the education require-
5 ments of AS 08.88.091, if the person has had at least 24 months of
6 active and continuous experience as a licensed real estate salesman,
7 if the person is not under indictment for, or seven years have elapsed
8 since the person has completed a sentence imposed upon conviction of,
9 forgery, theft, extortion, conspiracy to defraud creditors, or any
10 other felony involving moral turpitude, and if the person is an owner
11 of a real estate business or employed as a real estate broker by a
12 corporation or a partnership, and if that corporation or partnership
13 does not have an existing licensed broker. Unless the broker fails to
14 pay the biennial renewal fee or unless the broker's license is sus-
15 pended or revoked under AS 08.88.071(a)(3), the real estate broker's
16 license continues in effect so long as the broker is an owner of a
17 real estate business, or the broker is employed as a real estate
18 broker by a corporation or a partnership. If the broker stops being
19 an owner of a real estate business, or stops being employed as a real
20 estate broker by a corporation or partnership, the broker's license is
21 suspended from the time the broker stops until

22 (1) the broker again becomes an owner of a real estate
23 business or is again employed as a real estate broker by a corporation
24 or a partnership; or

25 (2) the broker is employed by a licensed real estate broker
26 as an associate real estate broker, in which case the real estate
27 broker license is returned to the commission, and the commission
28 issues the broker an associate real estate broker license.

29 * Sec. 4. AS 08.88.171(b) is amended to read:

(b) A person is eligible for [ENTITLED TO] an associate real estate broker license if the person passes the real estate brokers examination, if the person applies for a license within six months after the person has taken the examination, if the person submits satisfactory proof of successful completion of the education requirements of AS 08.88.091, if the person has had at least 24 months of active and continuous experience as a licensed real estate salesman, if the person is not under indictment for, or five years have elapsed since the person has completed a sentence imposed upon conviction of, forgery, theft, extortion, conspiracy to defraud creditors, or any other felony involving moral turpitude, and if the person is employed by a licensed real estate broker as an associate real estate broker. Unless the associate broker fails to pay the biennial renewal fee or unless the associate broker's license is suspended or revoked under AS 08.88.071(a)(3), the associate real estate broker's license continues in effect so long as the associate broker is employed by a licensed real estate broker as an associate broker. If the associate broker stops being employed by a licensed real estate broker, the associate broker's license is suspended from the time the associate broker stops until

(1) the associate broker again is employed by a real estate broker as an associate broker; or

(2) the associate broker becomes an owner of a real estate business, in which case the associate broker's associate real estate broker license is returned to the commission, and the commission issues the associate broker a real estate broker license.

* Sec. 5. AS 08.88.171(c) is amended to read:

(c) A person is eligible for [ENTITLED TO] a real estate salesman license if the person passes the real estate salesman examination,

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1 if the person applies for a license within six months after the person
2 has taken the examination, if the person submits satisfactory proof of
3 successful completion of the education requirements of AS 08.88.-
4 091, if the person is at least 19 years old, if the person is not
5 under indictment for forgery, theft, extortion, conspiracy to defraud
6 creditors, or any other felony involving moral turpitude, or, if
7 convicted of such an offense, the person has completed the sentence
8 imposed upon conviction, and if the person is employed by a real
9 estate broker. Unless the salesman fails to pay the biennial renewal
10 fee or unless the real estate salesman's license is suspended or
11 revoked under AS 08.88.071(a)(3), a real estate salesman's license
12 continues in effect so long as the salesman is employed as a salesman
13 by a licensed real estate broker. If the salesman stops being employ-
14 ed as a real estate salesman, the real estate salesman's license is
15 suspended from the time the salesman stops until the salesman again is
16 employed as a salesman by a licensed real estate broker.

17 * Sec. 6. AS 08.88.251(c) is amended to read:

18 (c) A person who is inactive may become active by applying for
19 an active license and paying the required fees. In the application
20 form the person shall state the date on which the person intends to
21 become active. The person's active status begins on the date stated.
22 The commission shall send the person a license certificate. A person
23 is eligible for [ENTITLED TO] change from an inactive to an active
24 status without examination if the person has not been inactive more
25 than two [THREE] years. If the person has been inactive more than two
26 [THREE] years, the person is required to take an examination.

27 * Sec. 7. AS 08.88.261 is repealed.

28 * Sec. 8. AS 08.88.091(b), as enacted by sec. 2 of this Act, and secs.
29 3 - 5 of this Act take effect January 1, 1991.

* Sec. 9. AS 08.88.091(c), as enacted by sec. 2 of this Act, takes effect July 1, 1991.

* Sec. 10. AS 08.88.091(d), as enacted by sec. 2 of this Act, takes effect January 1, 1992.

* Sec. 11. Except as provided in secs. 8 - 10 of this Act, this Act takes effect immediately under AS 01.10.070(c).