

IN THE SENATE

SENATE BILL NO. 1227

BY COMMERCE AND HUMAN RESOURCES COMMITTEE

AN ACT

RELATING TO IDAHO REAL ESTATE LICENSE LAW; AMENDING SECTION 54-2023, IDAHO CODE, TO PROVIDE ADDITIONAL REQUIREMENTS RELATING TO CONTINUING EDUCATION CLASSROOM HOURS AND TO MAKE A TECHNICAL CORRECTION.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. That Section 54-2023, Idaho Code, be, and the same is hereby amended to read as follows:

54-2023. CONTINUING EDUCATION REQUIREMENTS. Each licensee applying to renew an Idaho real estate license on active status, and each Idaho licensee applying to change from inactive to active license status, shall successfully complete a commission core course, plus the required number of classroom hours of commission-approved or certified continuing education coursework as provided in this section.

(1) Required number of classroom hours. The required number of classroom hours is as follows:

(a) Renewing license on active status. A licensee renewing on active status must successfully complete a commission core course, plus sixteen (16) classroom hours of continuing education, on or before the current license expiration date.

(b) Change from inactive to active. Unless the licensee is within the initial licensing period, a licensee changing from inactive to active license status shall complete a commission core course, plus sixteen (16) classroom hours of continuing education, before he can change to active license status. If the inactive licensee is within his initial licensing period, no continuing education is required to change to active license status.

(c) Credits used to reactivate license. Continuing education credit hours applied to activate an inactive license are considered "spent" and may not thereafter be applied toward the continuing education requirements for subsequent license renewal.

(2) No duplicate credit. No licensee may obtain continuing education credit for completing:

(a) Any core course curriculum for which he has previously received continuing education credit; or

(b) Any course curriculum for which he has received continuing education credit in the same license period.

(3) Excess credits. The classroom hours shall apply to the license period in which such course is completed; hours completed in excess of those required for the license period shall not accumulate or be credited for the purposes of subsequent license renewal periods.

1 (4) Commission-ordered education. No licensee shall obtain continuing  
2 education credit for education ordered by the commission as part of a disci-  
3 plinary action.

4 (5) Obtaining continuing education classroom hours. In order to obtain  
5 continuing education classroom hours, a licensee must:

6 (a) Successfully complete a commission-approved continuing education  
7 course;

8 (b) Successfully complete a commission-approved continuing education  
9 challenge exam;

10 (c) Attend a regularly scheduled meeting of the commission from the  
11 time the meeting is called to order until the meeting is adjourned or  
12 until the licensee is excused by the commission chairperson. A maximum  
13 of four (4) hours for this activity shall be credited for any one (1)  
14 meeting in any one (1) license period;

15 (d) Successfully complete a commission-approved broker prelicense  
16 course, or a commission-approved continuing education challenge exam,  
17 in advanced real estate study. Continuing education credit may be  
18 obtained for retaking the same broker prelicense course or challenge  
19 exam only if completed after three (3) years of completing the previous  
20 course or challenge exam; or

21 (e) Provide to the commission a transcript or course completion cer-  
22 tificate of successful completion of any of the following courses  
23 without commission preapproval of the curriculum, instructors or  
24 providers:

25 (i) Professional designation courses. Any course developed by  
26 national professional organizations that is required in order to  
27 earn professional designations from a national organization in  
28 specialized areas of licensed real estate practice;

29 (ii) Courses accredited by another profession or jurisdiction.  
30 Any course approved by and offered in satisfaction of another  
31 professional or occupational licensing authority's education re-  
32 quirements, if the commission determines that the course is within  
33 the approved topic areas established by the commission and if the  
34 course otherwise meets commission standards for course certifi-  
35 cation including distance learning and minimum classroom hour  
36 requirements; or

37 (iii) Courses offered by an accredited college or university. Any  
38 course offered in satisfaction of a degree requirement by an ac-  
39 credited college or university if the commission determines that  
40 the course is within the approved topic areas established by the  
41 commission.

42 (f) If a certified course instructor, teach a live course for which con-  
43 tinuing education credit may be obtained. Credits shall be granted for  
44 the number of classroom hours taught.

45 (6) Licensee duty to keep satisfactory proof. The licensee shall keep  
46 satisfactory proof of having completed the continuing education requirement  
47 and shall submit such proof at the request of the commission as provided in  
48 section 54-2018, Idaho Code.

49 (7) Provisional license -- Extension of time. A ~~three-month~~ three (3)  
50 month extension of time for completing the education requirements may be ob-

1 tained by submitting with the renewal application, or application to acti-  
2 vate, satisfactory evidence showing that the applicant was unable to comply  
3 with such education requirements. Such evidence shall be:

4 (a) Bona fide hardship preventing completion of the reinstatement re-  
5 quirements of an inactive license;

6 (b) Health reasons preventing attendance or completion; or

7 (c) Other compelling cause beyond the control of the applicant while  
8 engaged in the real estate business.

9 If such an extension is granted, the licensee shall receive a provisional  
10 license for a period of time not to exceed three (3) months. No further ex-  
11 tension of time may be granted. A license issued or renewed after an exten-  
12 sion of time has been granted shall retain the original license expiration  
13 date. Failure to satisfy the continuing education requirement within the  
14 time granted shall result in the automatic inactivation of the license.