

HOUSE BILL 301

C3

3lr0739

By: **Delegate Rosenberg**

Introduced and read first time: January 25, 2023

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Real Estate Brokers – Brokerage Services – Real Estate Wholesaling**

3 FOR the purpose of altering the definition of “provide real estate brokerage services” to
4 include engaging in the business of real estate wholesaling to require an individual
5 who engages in real estate wholesaling to be licensed as a real estate broker, an
6 associate real estate broker, or a real estate salesperson; and generally relating to
7 the provision of real estate brokerage services.

8 BY repealing and reenacting, without amendments,
9 Article – Business Occupations and Professions
10 Section 17–101(a) and 17–301(a)
11 Annotated Code of Maryland
12 (2018 Replacement Volume and 2022 Supplement)

13 BY repealing and reenacting, with amendments,
14 Article – Business Occupations and Professions
15 Section 17–101(l)
16 Annotated Code of Maryland
17 (2018 Replacement Volume and 2022 Supplement)

18 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
19 That the Laws of Maryland read as follows:

20 **Article – Business Occupations and Professions**

21 17–101.

22 (a) In this title the following words have the meanings indicated.

23 (l) “Provide real estate brokerage services” means to engage in any of the
24 following activities:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (1) for consideration, providing any of the following services for another
2 person:

3 (i) selling, buying, exchanging, or leasing any real estate; or

4 (ii) collecting rent for the use of any real estate;

5 (2) for consideration, assisting another person to locate or obtain for
6 purchase or lease any residential real estate;

7 (3) engaging regularly in a business of dealing in real estate or leases or
8 options on real estate;

9 (4) engaging in a business the primary purpose of which is promoting the
10 sale of real estate through a listing in a publication issued primarily for the promotion of
11 real estate sales;

12 (5) engaging in a business that subdivides land that is located in any state
13 and sells the divided lots; [or]

14 (6) for consideration, serving as a consultant regarding any activity set
15 forth in items (1) through (5) of this subsection; **OR**

16 **(7) REGARDLESS OF WHETHER THE ACTIVITY IS ENGAGED IN FOR**
17 **ANOTHER PERSON, ENGAGING IN THE BUYING OR SELLING, OFFERING TO BUY OR**
18 **SELL, OR MARKETING OF REAL ESTATE OR OTHERWISE DEALING IN CONTRACTS,**
19 **INCLUDING ASSIGNABLE CONTRACTS, FOR REAL ESTATE OR OPTIONS ON REAL**
20 **ESTATE, ON TWO OR MORE OCCASIONS IN ANY 12-MONTH PERIOD.**

21 17-301.

22 (a) (1) Except as otherwise provided in this title, an individual shall be
23 licensed by the Commission as a real estate broker before the individual may provide real
24 estate brokerage services in the State.

25 (2) Except as otherwise provided in this title, an individual shall be
26 licensed by the Commission as an associate real estate broker or a real estate salesperson
27 before the individual, while acting on behalf of a real estate broker, may provide real estate
28 brokerage services in the State.

29 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
30 October 1, 2023.