

Amendment No. 101

Senate Amendment to Senate Bill No. 230	(BDR 54-864)
Proposed by: Senate Committee on Commerce and Labor	
Amends: Summary: No Title: No Preamble: No Joint Sponsorship: No Digest: Yes	

ASSEMBLY ACTION			Initial and Date	SENATE ACTION			Initial and Date		
Adopted	☐	Lost	☐	_____	Adopted	☐	Lost	☐	_____
Concurred In	☐	Not	☐	_____	Concurred In	☐	Not	☐	_____
Receded	☐	Not	☐	_____	Receded	☐	Not	☐	_____

EXPLANATION: Matter in (1) *blue bold italics* is new language in the original bill; (2) *green bold italic underlining* is new language proposed in this amendment; (3) ~~red strikethrough~~ is deleted language in the original bill; (4) ~~purple double strikethrough~~ is language proposed to be deleted in this amendment; (5) orange double underlining is deleted language in the original bill that is proposed to be retained in this amendment; and (6) *green bold dashed underlining* is newly added transitory language.

SJH/TMC



Date: 3/31/2009

S.B. No. 230—Revises provisions governing certain licenses issued by the Real Estate Division of the Department of Business and Industry.
 (BDR 54-864)



SENATE BILL NO. 230—SENATOR CARLTON (BY REQUEST)

MARCH 13, 2009

Referred to Committee on Commerce and Labor

SUMMARY—Revises provisions governing certain licenses issued by the Real Estate Division of the Department of Business and Industry. (BDR 54-864)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: Yes.

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EXPLANATION – Matter in ***bolded italics*** is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to real estate; revising provisions governing certain licenses issued by the Real Estate Division of the Department of Business and Industry; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law provides that: (1) the initial period of licensure for an original license as a real estate broker, broker-salesman or salesman is 12 consecutive months beginning on the first day of the first calendar month after the original license is issued by the Real Estate Division of the Department of Business and Industry; and (2) each subsequent period of licensure is 24 consecutive months. Existing law additionally provides that other licenses issued pursuant to chapter 645 of NRS are issued for a period of 24 consecutive months. (NRS 645.780) **Sections 1 and 2** of this bill increase the period of initial licensure for a license as a real estate broker, broker-salesman or salesman from 12 to 24 consecutive months and each subsequent period of licensure from 24 to 48 consecutive months. **Sections 1 and 2** also increase the period of licensure for other licenses issued by the Division from 24 to 48 consecutive months. (NRS 645.490)

Section 3 of this bill increases the fee for each original license of a real estate broker, broker-salesman, corporate broker, real estate salesman and branch office, and each renewal of such a license, to correspond with the increase in the period of licensure of each license pursuant to **sections 1 and 2** of this bill. **Section 3 also increases the penalty for the late filing of a renewal for such licenses.** (NRS 645.830)

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. NRS 645.490 is hereby amended to read as follows:

645.490 1. Upon satisfactorily passing the written examination and upon complying with all other provisions of law and conditions of this chapter, a license shall thereupon be granted by the Division to the successful applicant therefor as a real estate broker, broker-salesman or salesman, and the applicant, upon receiving the license, may conduct the business of a real estate broker, broker-salesman or salesman in this State.

2. The Division shall issue licenses as a real estate broker, broker-salesman or salesman to all applicants who qualify and comply with all provisions of law and all requirements of this chapter.

3. Except as otherwise provided in NRS 645.785:

(a) An original license as a real estate broker, broker-salesman or salesman must be renewed with the Division before the expiration of the initial license period of ~~124~~ 24 consecutive months as prescribed in NRS 645.780; and

(b) Thereafter, the license must be renewed with the Division before the expiration of each subsequent license period of ~~124~~ 48 consecutive months as prescribed in NRS 645.780.

Sec. 2. NRS 645.780 is hereby amended to read as follows:

645.780 1. Each license issued under the provisions of this chapter expires at midnight on the last day of the last month of the applicable license period for the license.

2. The initial license period for an original license as a real estate broker, broker-salesman or salesman is a period of ~~124~~ 24 consecutive months beginning on the first day of the first calendar month after the original license is issued by the Division. Thereafter, each subsequent license period is a period of ~~124~~ 48 consecutive months beginning on the first day of the first calendar month after a renewal of the license is issued by the Division for the subsequent license period.

3. For all other licenses, the license period is a period of ~~124~~ 48 consecutive months beginning on the first day of the first calendar month after the license or any renewal of the license is issued by the Division, unless a specific statute:

(a) Provides for a different license period; or

(b) Expressly authorizes a different license period to be provided for by regulation.

4. The Division may:

(a) Create and maintain a secure website on the Internet through which each license, permit, certificate or registration issued pursuant to the provisions of this chapter may be renewed; and

(b) For each license, permit, certificate or registration renewed through the use of a website created and maintained pursuant to paragraph (a), charge a fee in addition to any other fee provided for pursuant to this chapter which must not exceed the actual cost to the Division for providing that service.

Sec. 3. NRS 645.830 is hereby amended to read as follows:

645.830 1. The following fees must be charged by and paid to the Division:

For each original real estate broker's, broker-salesman's or corporate broker's license	105 210
For each original real estate salesman's license	85 170
For each original branch office license.....	120 240
For real estate education, research and recovery to be paid at the time an application for an original license is filed.....	40
For real estate education, research and recovery to be paid at the time an application for renewal of a license is filed	140 80
For each renewal of a real estate broker's, broker-salesman's or corporate broker's license	180 360
For each renewal of a real estate salesman's license	140 280
For each renewal of a real estate branch office license	110 220
For each penalty for late filing of a renewal for a broker's, broker-salesman's or corporate broker's license	95 190
For each penalty for late filing of a renewal for a salesman's license	75 150

1	For each change of name or address.....	\$20
2	For each transfer of a real estate salesman's or broker-	
3	salesman's license and change of association or	
4	employment.....	20
5	For each duplicate license where the original license is lost or	
6	destroyed, and an affidavit is made thereof.....	20
7	For each change of broker status from broker to broker-	
8	salesman.....	20
9	For each change of broker status from broker-salesman to	
10	broker.....	40
11	For each reinstatement to active status of an inactive real	
12	estate broker's, broker-salesman's or salesman's license	20
13	For each reinstatement of a real estate broker's license when	
14	the licensee fails to give immediate written notice to the	
15	Division of a change of name or business location	30
16	For each reinstatement of a real estate salesman's or broker-	
17	salesman's license when he fails to notify the Division of	
18	a change of broker within 30 days of termination by	
19	previous broker	30
20	For each original registration of an owner-developer.....	125
21	For each annual renewal of a registration of an owner-	
22	developer.....	125
23	For each enlargement of the area of an owner-developer's	
24	registration	50
25	For each cooperative certificate issued to an out-of-state	
26	broker licensee for 1 year or fraction thereof	150
27	For each original accreditation of a course of continuing	
28	education	100
29	For each renewal of accreditation of a course of continuing	
30	education	50
31	For each annual approval of a course of instruction offered in	
32	preparation for an original license or permit	100

2. The fees prescribed by this section for courses of instruction offered in preparation for an original license or permit or for courses of continuing education do not apply to:

(a) Any university, state college or community college of the Nevada System of Higher Education.

(b) Any agency of the State.

(c) Any regulatory agency of the Federal Government.

3. The Commission shall adopt regulations which establish the fees to be charged and collected by the Division to pay the costs of any investigation of a person's background.

Sec. 4. The amendatory provisions of this act apply to licenses issued or renewed by the Real Estate Division of the Department of Business and Industry pursuant to chapter 645 of NRS on or after July 1, ~~2009~~ **2011**.

Sec. 5. This act becomes effective on July 1, ~~2009~~ **2011**.