

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.

~

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. (NRS 645.830)



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

1 **Section 1.** NRS 645.490 is hereby amended to read as follows:
2 645.490 1. Upon satisfactorily passing the written
3 examination and upon complying with all other provisions of law
4 and conditions of this chapter, a license shall thereupon be granted
5 by the Division to the successful applicant therefor as a real estate
6 broker, broker-salesman or salesman, and the applicant, upon
7 receiving the license, may conduct the business of a real estate
8 broker, broker-salesman or salesman in this State.

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

13 3. Except as otherwise provided in NRS 645.785:

14 (a) An original license as a real estate broker, broker-salesman
15 or salesman must be renewed with the Division before the
16 expiration of the initial license period of ~~121~~ 24 consecutive months
17 as prescribed in NRS 645.780; and

18 (b) Thereafter, the license must be renewed with the Division
19 before the expiration of each subsequent license period of ~~24~~ 48
20 consecutive months as prescribed in NRS 645.780.

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

22 645.780 1. Each license issued under the provisions of this
23 chapter expires at midnight on the last day of the last month of the
24 applicable license period for the license.

25 2. The initial license period for an original license as a real
26 estate broker, broker-salesman or salesman is a period of ~~121~~ 24
27 consecutive months beginning on the first day of the first calendar
28 month after the original license is issued by the Division. Thereafter,
29 each subsequent license period is a period of ~~24~~ 48 consecutive
30 months beginning on the first day of the first calendar month after a
31 renewal of the license is issued by the Division for the subsequent
32 license period.

33 3. For all other licenses, the license period is a period of ~~24~~
34 48 consecutive months beginning on the first day of the first
35 calendar month after the license or any renewal of the license is
36 issued by the Division, unless a specific statute:

37 (a) Provides for a different license period; or

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

40 4. The Division may:



* S B 2 3 0 *

(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	[40] 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
For each penalty for late filing of a renewal for a salesman's license	75
For each change of name or address	20
For each transfer of a real estate salesman's or broker-salesman's license and change of association or employment	20
For each duplicate license where the original license is lost or destroyed, and an affidavit is made thereof	20
For each change of broker status from broker to broker-salesman	20
For each change of broker status from broker-salesman to broker	40



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

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

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

35 (b) Any agency of the State.

36 (c) Any regulatory agency of the Federal Government.

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

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



* S B 2 3 0 *

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

③⑩

