

SUMMARY OF HB1508

The bill amends chapters 1101 and 1102, Occupations Code. Sections 1 - 9 and 14 of the bill amend chapter 1101, sections 10–13 amend chapter 1102.

Section 1 of the bill increases the maximum fee for filing an original application for a salesperson license to not more than \$75, increases the maximum fee for reviewing a license history to not more than \$20, and sets a maximum fee for filing a core instructor application at not more than \$40.

Section 2 of the bill sets a maximum fee for filing a continuing education instructor application at not more than \$40 and clarifies that the \$20 change of sponsoring broker or return to active status fee does not apply to requests associated with an original salesperson license.

Section 3 of the bill adds to a list of other locations that the commission may provide for consumer notices regarding complaints that the notices may be prominently displayed on a licensee's web site.

Section 4 of the bill incorporates an amendment to Article 6573a, Texas Civil Statutes, made by HB 695, 77th Legislature, that deleted a provision requiring a joint application with a real estate broker for a real estate salesperson license.

Section 5 of the bill incorporates amendments to Article 6573a, Texas Civil Statutes, made by HB 695, 77th Legislature that permit a person to apply for an inactive salesperson license without a sponsoring broker and provide that an inactive salesperson cannot practice until sponsored by a broker who has notified the Texas Real Estate Commission of the sponsorship. Section 5 also provides that the licensed broker is not required to pay the sponsorship fee to change to active status an original inactive salesperson license notwithstanding the requirement in section 1101.367(b).

Section 6 of the bill incorporates changes made to Article 6573a, Texas Civil Statutes, by HB 695, 77th Legislature, which modified inactive status requirements for a real estate salesperson.

Section 7 of the bill deletes the definition of "face to face meeting" and replaces it with a definition of "substantive dialogue." "Substantive dialogue" is defined as a meeting or written communication that involves a substantive discussion relating to specific real property. Section 7 provides that a licensee must disclose the Information About Brokerage Services information at the first substantive dialogue.

Section 8 adds to a list of other locations that the commission may provide for consumer notices regarding the Real Estate Recovery fund that the notices may be prominently displayed on a licensee's website.

Section 9 provides that, if the licensee requests, an administrative hearing involving violations of Occupations Code Sections 1101.652(a)(3) or (b) only shall be held in the county in which the principal place of business of the licensee is located.

April 29, 2003

Section 10 clarifies that any applicant for a professional real estate inspector license must satisfy the Commission as to the applicant's honesty, integrity and trustworthiness.

Section 11 increases from 60 to 320 the number of additional classroom hours that the commission may require of inspector applicants for substitution of additional education in lieu of the number of inspections and previous licensure requirements for licensing.

Section 12 permits the commission to provide for 2 year renewals of inspector licenses.

Section 13 adds to a list of other locations that the commission may provide for consumer notices regarding complaints that the notices may be prominently displayed on a licensed inspector's website.

Section 14 removes the requirement that licenses of salespersons and brokers must be prominently displayed at the broker's place of business unless the salesperson or broker is a residential rental locator.

The effective date of the bill is September 1, 2003.