

HCS HB 174 -- REAL ESTATE LICENSES

SPONSOR: Behnen (Wood)

COMMITTEE ACTION: Voted "do pass" by the Committee on Professional Registration and Licensing by a vote of 12 to 0.

This substitute requires license revocation, or in the case of an applicant, prohibits the issuance of a real estate license if the licensee or applicant has been found guilty of certain felonies.

The definition of "exclusive brokerage agreement" is added to allow a real estate broker to act as the exclusive limited agent on behalf of their client provided that the parties have entered into a written agency agreement. Certain services which must be provided by a broker who has entered into an exclusive brokerage agreement are specified.

FISCAL NOTE: No impact on state funds in FY 2006, FY 2007, and FY 2008.

PROPOSERS: Supporters say that this is a consumer protection bill. Recently, the Administrative Hearing Commission overturned a ruling by the Missouri Real Estate Commission revoking and denying a license to a sex offender. The Missouri Real Estate Commission and people in the industry don't want sex offenders to have access to people's homes. Exclusive brokerage agreements are being conducted mainly through electronic means by brokers from out of state, and there should be a real person involved when handling these matters.

Testifying for the bill were Representative Wood; Missouri Real Estate Commission; and Missouri Association of Realtors.

OPPOSERS: There was no opposition voiced to the committee.

Bob Dominique, Legislative Analyst