

House \_\_\_\_\_ Amendment NO. \_\_\_\_\_

**Offered By**

1 AMEND House Bill No. 478, Page 3, Section 324.004, Line 60, by inserting after all of said section  
2 and line the following:  
3

4 "339.040. 1. Licenses shall be granted only to persons who present, and corporations,  
5 associations, partnerships, limited partnerships, limited liability companies, and professional  
6 corporations whose officers, managers, associates, general partners, or members who actively  
7 participate in such entity's brokerage, broker-salesperson, or salesperson business present,  
8 satisfactory proof to the commission that they are competent to transact the business of a broker or  
9 salesperson in such a manner as to safeguard the interest of the public.

10 2. In order to determine an applicant's qualifications to receive a license under sections  
11 339.010 to 339.180 and sections 339.710 to ~~339.860~~ 339.855, the commission shall hold oral or  
12 written examinations at such times and places as the commission may determine.

13 3. Each applicant for a broker or salesperson license shall be at least eighteen years of age  
14 and shall pay the broker examination fee or the salesperson examination fee.

15 4. Each applicant for a broker license shall be required to have satisfactorily completed the  
16 salesperson license examination prescribed by the commission. For the purposes of this section  
17 only, the commission may permit a person who is not associated with a licensed broker to take the  
18 salesperson examination.

19 5. Each application for a broker license shall include a certificate from the applicant's broker  
20 or brokers that the applicant has been actively engaged in the real estate business as a licensed  
21 salesperson for at least two years immediately preceding the date of application, and shall include a  
22 certificate from a school accredited by the commission under the provisions of section 339.045 that  
23 the applicant has, within six months prior to the date of application, successfully completed the  
24 prescribed broker curriculum or broker correspondence course offered by such school, except that  
25 the commission may waive all or part of the requirements set forth in this subsection when an  
26 applicant presents proof of other educational background or experience acceptable to the  
27 commission. Each application for a broker-salesperson license shall include evidence of the current  
28 broker license held by the applicant.

29 6. Each application for a salesperson license shall include a certificate from a school  
30 accredited by the commission under the provisions of section 339.045 that the applicant has, within

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1 six months prior to the date of application, successfully completed the prescribed salesperson  
 2 curriculum or salesperson correspondence course offered by such school, except that the  
 3 commission may waive all or part of the educational requirements set forth in this subsection when  
 4 an applicant presents proof of other educational background or experience acceptable to the  
 5 commission.

6 7. (1) The commission may issue a temporary work permit pending final review and  
 7 printing of the license to an applicant who appears to have satisfied the requirements for [~~licenses~~]  
 8 licensure. The commission may, at its discretion, withdraw the work permit at any time.

9 (2) The commission shall issue a six-month nonrenewable temporary salesperson license  
 10 without examination to any applicant who has not previously taken the salesperson examination but  
 11 who meets the requirements set forth in subsection 6 of this section and has no history of conduct or  
 12 disciplinary action that would warrant refusal to issue a license under section 339.080 or 339.110.  
 13 The temporary license shall automatically expire six months from the date of issuance or upon the  
 14 issuance of a permanent license and shall not be reissued.

15 8. Every active broker, broker-salesperson, salesperson, officer, manager, general partner,  
 16 member or associate shall provide upon request to the commission evidence that during the two  
 17 years preceding he or she has completed twelve hours of real estate instruction in courses approved  
 18 by the commission. The commission may, by rule and regulation, provide for individual waiver of  
 19 this requirement.

20 9. Each entity that provides continuing education required under the provisions of  
 21 subsection 8 of this section may make available instruction courses that the entity conducts through  
 22 means of distance delivery. The commission shall by rule set standards for such courses. The  
 23 commission may by regulation require the individual completing such distance-delivered course to  
 24 complete an examination on the contents of the course. Such examination shall be designed to  
 25 ensure that the licensee displays adequate knowledge of the subject matter of the course, and shall  
 26 be designed by the entity producing the course and approved by the commission.

27 10. In the event of the death or incapacity of a licensed broker, or of one or more of the  
 28 licensed general partners, officers, managers, members or associates of a real estate partnership,  
 29 limited partnership, limited liability company, professional corporation, corporation, or association  
 30 whereby the affairs of the broker, partnership, limited partnership, limited liability company,  
 31 professional corporation, corporation, or association cannot be carried on, the commission may  
 32 issue, without examination or fee, to the legal representative or representatives of the deceased or  
 33 incapacitated individual, or to another individual approved by the commission, a temporary broker  
 34 license which shall authorize such individual to continue for a period to be designated by the  
 35 commission to transact business for the sole purpose of winding up the affairs of the broker,  
 36 partnership, limited partnership, limited liability company, professional corporation, corporation, or  
 37 association under the supervision of the commission."; and

38  
 39 Further amend said bill by amending the title, enacting clause, and intersectional references  
 40 accordingly.