

COMMITTEE ON FINANCE AND COMMERCE
SENATE AMENDMENTS TO S.B. 1171
(Reference to printed bill)

1 Page 23, between lines 39 and 40, insert:

2 "Sec. 12. Section 32-2130, Arizona Revised Statutes, is amended to
3 read:

4 32-2130. Renewal of licenses; education requirements; broker
5 licensee renewal as salesperson licensee

6 A. EXCEPT AS PROVIDED IN SUBSECTION K OF THIS SECTION, a license may
7 be renewed in a timely manner by filing an application for renewal in the
8 manner prescribed by the commissioner, by paying the renewal fee specified
9 in this chapter and by presenting evidence of attendance at a school
10 certified by the commissioner during the preceding license period of
11 twenty-four credit hours for salespersons and associate brokers and thirty
12 credit hours for designated brokers or for associate brokers employed by a
13 designated broker pursuant to section 32-2151.01, subsection G, or a lesser
14 number of credit hours prescribed by the commissioner, of real estate
15 oriented continuing education courses prescribed and approved by the
16 commissioner. The total number of credit hours shall be accrued at a rate
17 of twenty-four credit hours for salespersons and associate brokers and
18 thirty credit hours for designated brokers or for associate brokers
19 employed by a designated broker pursuant to section 32-2151.01, subsection
20 G during each ~~twenty-four month~~ TWENTY-FOUR-MONTH period of licensure. The
21 department shall maintain a current list of approved courses. The
22 commissioner may waive all or a portion of the continuing education
23 requirement for good cause shown. The commissioner shall determine by rule
24 the content of the renewal credit hours. The renewal credit hours may
25 include the commissioner's current topics, including short sales. For the

1 purposes of this subsection, "short sales" means real estate transactions
2 in which the sales price is insufficient to pay the loan encumbering the
3 property in addition to the costs of sale and the seller is unable to pay
4 the difference.

5 B. If an applicant is renewing a license within one year after it
6 expired, the applicant may apply continuing education hours completed after
7 the expiration toward the continuing education required for renewal.

8 C. Each renewal application shall contain, as applicable, the same
9 information required in an original application pursuant to section
10 32-2123.

11 D. Cemetery brokers and salespersons and membership camping brokers
12 and salespersons are exempt from the educational requirements of this
13 section.

14 E. ~~Nothing in~~ This section ~~requires~~ DOES NOT REQUIRE a licensee to
15 attend department produced or sponsored courses if approved courses are
16 otherwise available.

17 F. Between the expiration date of the license and the date of
18 renewal of the license, the rights of the licensee under the license
19 expire. While the license is expired it is unlawful for a person to act or
20 attempt or offer to act in a manner included in the definition of a real
21 estate, cemetery or membership camping broker or salesperson. If the
22 license of an employing broker expires under this subsection, the licenses
23 of persons who are employed by the employing broker shall be severed from
24 the employing broker on the license expiration date of the employing
25 broker. These persons may be rehired on renewal of the employing broker's
26 license. The department shall terminate a license that has been expired
27 for more than one year.

28 G. Except as provided in section 32-4301, ~~no~~ NOT more than one year
29 after the license expiration date, the department shall renew a license
30 without requiring the applicant to submit to an examination if the
31 applicant held a license that was not canceled or suspended at the time of
32 expiration. Except as provided in section 32-4301, the license period for

1 a license renewed pursuant to this subsection commences the day after the
2 expiration date of the expired license. Except as provided in section
3 32-2131, subsection A, paragraph 4 or 6, an applicant whose license has
4 been terminated or revoked does not qualify for license renewal.

5 H. Any employee or immediate family member of any employee of this
6 state who, pursuant to section 32-2110 or any other law, rule or
7 requirement, is prohibited from using a license issued under this chapter
8 shall have, on the request of the employee or family member, the license
9 placed on inactive status, shall have the right to renew the license and
10 shall not be required to pay further fees until the employee or family
11 member is again eligible to use the license. Renewal fees for the license
12 shall not be required for only as long as the employee or family member is
13 prohibited from using the license.

14 I. The department shall not renew the license of a person who has
15 been convicted of a felony offense and who is currently incarcerated for
16 the conviction, paroled or under community supervision and under the
17 supervision of a parole or community supervision officer or who is on
18 probation as a result of the conviction. This subsection does not limit
19 the commissioner's authority and discretion to deny the renewal for any
20 other reason pursuant to this chapter.

21 J. A real estate broker licensee may renew as a real estate
22 salesperson licensee without having to meet the requirements prescribed by
23 section 32-2124, subsection B. If a person renews as a real estate
24 salesperson pursuant to this subsection, the person shall pay the
25 salesperson's renewal fee as prescribed in section 32-2132. If the person
26 subsequently wants to obtain a real estate broker license, the person must
27 meet the requirements of this chapter, including the requirements
28 prescribed by section 32-2124, subsection C.

29 K. A LICENSEE WITH AN INACTIVE LICENSE DOES NOT NEED TO COMPLETE
30 CONTINUING EDUCATION CREDIT HOURS DURING THE PERIOD THAT THE LICENSE IS
31 INACTIVE. IF THE LICENSEE APPLIES WITH THE DEPARTMENT TO CHANGE THE
32 LICENSE STATUS TO ACTIVE:

1 1. THE COMMISSIONER MAY REQUIRE THE LICENSEE TO COMPLETE CONTINUING
2 EDUCATION CREDIT HOURS BEFORE ACTIVATING THE LICENSE.

3 2. IN ADDITION TO THE CONTINUING EDUCATION REQUIREMENT DESCRIBED IN
4 PARAGRAPH 1 OF THIS SUBSECTION, IF THE LICENSE HAS BEEN INACTIVE FOR MORE
5 THAN FIFTEEN YEARS, THE COMMISSIONER SHALL REQUIRE THAT THE APPLICANT
6 SUCCESSFULLY PASS AN EXAMINATION SPECIFIC TO THE LAWS OF THIS STATE
7 RELATING TO THIS CHAPTER BEFORE ACTIVATING THE LICENSE.

8 L. ONE YEAR BEFORE THE FIFTEEN-YEAR PERIOD DESCRIBED IN SUBSECTION
9 K, PARAGRAPH 2 OF THIS SECTION EXPIRES, THE DEPARTMENT SHALL SEND A NOTICE
10 TO A LICENSEE WITH AN INACTIVE LICENSE. THE NOTICE SHALL BE SENT TO THE
11 LICENSEE'S LAST KNOWN ADDRESS OF RECORD MAINTAINED BY THE DEPARTMENT AND
12 SHALL DISCLOSE THE REQUIREMENTS OF SUBSECTION K OF THIS SECTION."

13 Renumber to conform

14 Amend title to conform

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