

SB2893



99TH GENERAL ASSEMBLY

State of Illinois

2015 and 2016

SB2893

Introduced 2/18/2016, by Sen. William R. Haine

SYNOPSIS AS INTRODUCED:

225 ILCS 454/5-70

Amends the Real Estate License Act of 2000. Removes the restriction that managing brokers and brokers can earn no more than 6 hours of continuing education credit in one calendar year.

LRB099 19718 SMS 44116 b

A BILL FOR

1 AN ACT concerning regulation.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Real Estate License Act of 2000 is amended
5 by changing Section 5-70 as follows:

6 (225 ILCS 454/5-70)

7 (Section scheduled to be repealed on January 1, 2020)

8 Sec. 5-70. Continuing education requirement; managing
9 broker or broker.

10 (a) The requirements of this Section apply to all managing
11 brokers and brokers.

12 (b) Except as otherwise provided in this Section, each
13 person who applies for renewal of his or her license as a
14 managing broker or broker must successfully complete 6 hours of
15 real estate continuing education courses approved by the
16 Advisory Council for each year of the pre-renewal period. In
17 addition, beginning with the pre-renewal period for managing
18 broker licensees that begins after the effective date of this
19 Act, those licensees renewing or obtaining a managing broker's
20 license must successfully complete a 12-hour broker management
21 continuing education course approved by the Department each
22 pre-renewal period. The broker management continuing education
23 course must be completed in the classroom or by other

1 interactive delivery method between the instructor and the
2 students. Successful completion of the course shall include
3 achieving a passing score as provided by rule on a test
4 developed and administered in accordance with rules adopted by
5 the Department. No license may be renewed except upon the
6 successful completion of the required courses or their
7 equivalent or upon a waiver of those requirements for good
8 cause shown as determined by the Secretary with the
9 recommendation of the Advisory Council. The requirements of
10 this Article are applicable to all managing brokers and brokers
11 except those managing brokers and brokers who, during the
12 pre-renewal period:

- 13 (1) serve in the armed services of the United States;
14 (2) serve as an elected State or federal official;
15 (3) serve as a full-time employee of the Department; or
16 (4) are admitted to practice law pursuant to Illinois
17 Supreme Court rule.

18 (c) (Blank).

19 (d) A person receiving an initial license during the 90
20 days before the renewal date shall not be required to complete
21 the continuing education courses provided for in subsection (b)
22 of this Section as a condition of initial license renewal.

23 (e) The continuing education requirement for brokers and
24 managing brokers shall consist of a core curriculum and an
25 elective curriculum, to be established by the Advisory Council.
26 In meeting the continuing education requirements of this Act,

1 at least 3 hours per year or their equivalent, 6 hours for each
2 two-year pre-renewal period, shall be required to be completed
3 in the core curriculum. In establishing the core curriculum,
4 the Advisory Council shall consider subjects that will educate
5 licensees on recent changes in applicable laws and new laws and
6 refresh the licensee on areas of the license law and the
7 Department policy that the Advisory Council deems appropriate,
8 and any other areas that the Advisory Council deems timely and
9 applicable in order to prevent violations of this Act and to
10 protect the public. In establishing the elective curriculum,
11 the Advisory Council shall consider subjects that cover the
12 various aspects of the practice of real estate that are covered
13 under the scope of this Act. However, the elective curriculum
14 shall not include any offerings referred to in Section 5-85 of
15 this Act.

16 (f) The subject areas of continuing education courses
17 approved by the Advisory Council may include without limitation
18 the following:

- 19 (1) license law and escrow;
- 20 (2) antitrust;
- 21 (3) fair housing;
- 22 (4) agency;
- 23 (5) appraisal;
- 24 (6) property management;
- 25 (7) residential brokerage;
- 26 (8) farm property management;

- 1 (9) rights and duties of sellers, buyers, and brokers;
2 (10) commercial brokerage and leasing; and
3 (11) real estate financing.

4 (g) In lieu of credit for those courses listed in
5 subsection (f) of this Section, credit may be earned for
6 serving as a licensed instructor in an approved course of
7 continuing education. The amount of credit earned for teaching
8 a course shall be the amount of continuing education credit for
9 which the course is approved for licensees taking the course.

10 (h) Credit hours may be earned for self-study programs
11 approved by the Advisory Council.

12 (i) A managing broker or broker may earn credit for a
13 specific continuing education course only once during the
14 prerenewal period.

15 (j) No more than 6 hours of continuing education credit may
16 be taken ~~or earned~~ in one calendar day.

17 (k) To promote the offering of a uniform and consistent
18 course content, the Department may provide for the development
19 of a single broker management course to be offered by all
20 continuing education providers who choose to offer the broker
21 management continuing education course. The Department may
22 contract for the development of the 12-hour broker management
23 continuing education course with an outside vendor or
24 consultant and, if the course is developed in this manner, the
25 Department or the outside consultant shall license the use of
26 that course to all approved continuing education providers who

1 wish to provide the course.

2 (1) Except as specifically provided in this Act, continuing
3 education credit hours may not be earned for completion of pre
4 or post-license courses. The approved 30-hour post-license
5 course for broker licensees shall satisfy the continuing
6 education requirement for the pre-renewal period in which the
7 course is taken. The approved 45-hour brokerage administration
8 and management course shall satisfy the 12-hour broker
9 management continuing education requirement for the
10 pre-renewal period in which the course is taken.

11 (Source: P.A. 98-531, eff. 8-23-13; 99-227, eff. 8-3-15.)