

State of South Dakota

SEVENTY-SEVENTH SESSION
LEGISLATIVE ASSEMBLY, 2002

705H0432

HOUSE BILL NO. 1110

Introduced by: Representatives Konold, Brown (Jarvis), Frost, Garnos, Hanson (Gary), Juhnke, Olson (Mel), Pitts, Pummel, Sebert, and Smidt and Senators Bogue, Albers, Brown (Arnold), Ham, McCracken, Moore, Olson (Ed), and Sutton (Dan)

1 FOR AN ACT ENTITLED, An Act to consolidate the categories of real estate licenses.

2 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

3 Section 1. That chapter 36-21A be amended by adding thereto a NEW SECTION to read
4 as follows:

5 Any person licensed as a real estate salesperson pursuant to this chapter shall, within two
6 years of the effective date of this Act, complete forty hours of prescribed education in a course
7 approved by the commission. Any real estate salesperson whose license is inactive shall complete
8 the prescribed education and course examination requirements before activating that license. The
9 commission shall promulgate rules, pursuant to chapter 1-26, to specify requirements for the
10 course and examination. This section does not apply to residents of another licensing jurisdiction
11 who are licensed in South Dakota under the provisions of a reciprocal agreement with that
12 jurisdiction.

13 Section 2. That chapter 36-21A be amended by adding thereto a NEW SECTION to read
14 as follows:



1 Any salesperson who has completed the requirements of section 1 of this Act shall file an
2 application for a broker associate license before the end of the current license term.

3 Section 3. That § 36-21A-30.1 be amended to read as follows:

4 36-21A-30.1. An applicant for a broker associate license must have completed one hundred
5 class hours of education in a course of study approved by the commission given by instructors
6 approved by the commission or in ~~a correspondence~~ an independent study or distance education
7 course approved by the commission. The commission may adopt rules, pursuant to chapter 1-26,
8 to specify requirements for the course of study, qualifications of an instructor, and criteria for
9 ~~a correspondence~~ an independent study or distance education course. ~~An applicant for a broker~~
10 ~~associate license who holds a sales license as of July 1, 1996, shall complete sixty hours of~~
11 ~~education beyond the salesperson level in a course of study approved by the commission.~~

12 Section 4. That § 36-21A-31 be amended to read as follows:

13 36-21A-31. An applicant for a responsible broker's license ~~must~~ shall have served actively
14 for two years as a licensed salesperson or broker associate, or a combination thereof, and shall
15 furnish evidence of completion of fifteen additional class hours beyond the broker associate level
16 in a course ~~of study~~ approved by the commission given by instructors approved by the
17 commission or in ~~a correspondence~~ an independent study or distance education course approved
18 by the commission. The commission may adopt rules, pursuant to chapter 1-26, to specify
19 requirements for the course of study. Any person licensed as a broker associate under section
20 1 of this Act shall, in addition to the education requirements of this section, complete the broker
21 examination requirements to qualify as a responsible broker. Any broker licensed prior to July 1,
22 1996, is exempt from these requirements.

23 Section 5. That § 36-21A-34 be repealed.

24 ~~36-21A-34. An applicant for a real estate salesperson's license, in addition to the other~~

1 ~~requirements of law, shall furnish evidence to the commission of completion of sixty class hours~~
2 ~~in a course of study approved by the commission given by instructors approved by the~~
3 ~~commission or in a correspondence course approved by the commission. The commission may~~
4 ~~adopt rules pursuant to chapter 1-26 to specify requirements for the course of study.~~

5 Section 6. This Act is effective on January 1, 2003.