

HB 1110 - AS INTRODUCED

2026 SESSION

26-2555

09/05

HOUSE BILL **1110**

AN ACT relative to the New Hampshire real estate practice act.

SPONSORS: Rep. Flanagan, Hills. 45

COMMITTEE: Executive Departments and Administration

ANALYSIS

This bill:

I. Clarifies that various educational requirements are measured in credit hours.

II. Makes edits clarifying that inactive licensed principal or managing brokers are not required to maintain a surety bond, that annulled convictions are not considered for disciplinary proceedings, and that prohibited discrimination also applies to rental activity and not just sales activity.

III. Corrects cross-references based on recent updates to the statutes.

Explanation: Matter added to current law appears in ***bold italics***.
Matter removed from current law appears ~~[in brackets and struckthrough.]~~
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty-Six

AN ACT relative to the New Hampshire real estate practice act.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 1 Real Estate Practice Act; Qualifications for Licensure. Amend RSA 331-A:10, II(b) to read as
2 follows:

3 (b) Has successfully completed an examination administered or approved by the
4 commission which demonstrates satisfactory knowledge and understanding of the principles of real
5 estate practice. The office shall only accept for licensure, an applicant who shows proof of completion
6 of 60 **credit** hours of approved study which shall have been completed prior to the date of the
7 applicant's examination;

8 2 Real Estate Practice; Inactive Licensure Status. Amend RSA 331-A:12-b, I to read as follows:

9 I. Any licensee who does not want to perform as a broker or salesperson as defined in RSA
10 331-A:2, and who wants to preserve his or her license while not engaged in any brokerage activities,
11 including making any referrals for commission or for other compensation, or for the promise of such
12 commission or other compensation, may surrender that license to the commission for placement on
13 inactive status; provided, however, that while on inactive status, the licensee may be compensated
14 by his or her previous responsible broker for brokerage activities or referrals for which the licensee
15 participated while the licensee's license was active, pursuant to RSA 331-A:26, XXIV. The
16 commission shall place the licensee on inactive status only upon a written request by the licensee.
17 While on inactive status, the licensee shall renew the license biennially by satisfying any renewal
18 requirements and continuing education requirements adopted by the commission, but shall not be
19 required to maintain a place of business, or in the case of [a] **an inactive** licensed principal or
20 managing broker, **shall not be required** to maintain a surety bond pursuant to RSA 331-A:14.

21 3 Real Estate Practice Act; Programs of Study; Preparatory Education; Continuing Education.
22 Amend RSA 331-A:20, II(a) to read as follows:

23 (a) Continuing education [~~3-hour~~] **3 credit hour** core courses shall cover, but not be
24 limited to, changes in state and federal laws dealing with real estate brokerage, housing, financing
25 of real property and consumer protection as well as changes in state enabling laws dealing with
26 zoning and subdivision practices. The core courses shall be designed to assist the licensee in keeping
27 abreast of changing laws, rules and practices which will affect the interest of the licensee's clients or
28 customers.

29 4 Real Estate Practice Act; Programs of Study; Preparatory Education; Continuing Education.
30 Amend the introductory paragraph of RSA 331-A:20, IV to read as follows:

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1 IV. Any instructors accredited by the office to teach a preparatory or continuing education
2 program who commits any of the following acts, conduct, or practices shall, after a hearing under
3 RSA **310** [~~331-A:30~~], be subject to disciplinary action as provided in RSA **310** [~~331-A:28~~]:

4 5 Real Estate Practice Act; Practice by Brokers in Other Jurisdictions. Amend RSA 331-A:22-a,
5 V to read as follows:

6 V. An out-of-state broker or out-of-state salesperson who fails to comply with any provision
7 of this section shall be considered in violation of RSA **310:13** [~~331-A:34~~].

8 6 Real Estate Practice Act; Rulemaking. Amend RSA 331-A:25, IX to read as follows:

9 IX. A minimum of a [~~3-hour~~] **3 credit hour** core course of continuing education for active
10 and inactive license renewal, and an additional 12 elective **credit** hours of continuing education for
11 active license renewals. The initial 12 hours of continuing education for salespersons prior to their
12 first license renewal shall be established by the commission in specified topics or courses related to
13 the salesperson's practice.

14 7 Real Estate Practice Act; Prohibited Conduct. Amend the introductory paragraph of RSA 331-
15 A:26 to read as follows:

16 331-A:26 Prohibited Conduct. The following acts, conduct or practices are prohibited, and any
17 licensee found guilty after a hearing shall be subject to disciplinary action as provided in RSA **310**
18 [~~331-A:28~~]:

19 8 Real Estate Practice; Prohibited Conduct. Amend RSA 331-A:26, III to read as follows:

20 III. Being convicted in a court of competent jurisdiction of this or any other state, or federal
21 court, of forgery, embezzlement, obtaining money under false pretenses, bribery, larceny, extortion,
22 conspiracy to defraud, sexual crimes, drug distribution, arson, physical violence, or any similar
23 offense or offenses; provided that, for the purposes of this section being convicted shall include all
24 instances in which a plea of guilty or nolo contendere is the basis for the conviction, and all
25 proceedings in which the sentence has been deferred or suspended. ***This paragraph applies only***
26 ***when the conviction has not first been annulled by a court pursuant to RSA 651:5.***

27 9 Real Estate Practice; Prohibited Conduct. Amend RSA 331-A:26, XVII to read as follows:

28 XVII. Discrimination against any person in hiring or in sales ***or in rental*** activity, on the
29 basis of race, color, creed or national origin, or violating any of the provisions of any state or federal
30 antidiscrimination law. A certified copy of the final holding of any court of competent jurisdiction in
31 such matter, or a certified copy of the order issued by any state or federal administrative agency
32 having jurisdiction in such matter, shall be conclusive evidence in any hearing conducted under this
33 chapter.

34 10 Effective Date. This act shall take effect 60 days after its passage.