CHAPTER 39
HB 1354 - FINAL VERSION

10Mar2022... 0487h

2022 SESSION

22-2646
11/10

HOUSE BILL *1354*

AN ACT relative to regulation by the New Hampshire real estate commission.

SPONSORS: Rep. Acton, Rock. 10

COMMITTEE: Executive Departments and Administration

ANALYSIS

This bill allows a real estate licensee to receive compensation for prior activities while on inactive status and modifies the procedure for out-of-state licensees to be recognized for licensure in this state.

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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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Two

AN ACT relative to regulation by the New Hampshire real estate commission.

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

39:1 Real Estate Practice; Inactive Licensure Status. Amend RSA 331-A:12-a, I to read as follows:

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

39:2 Real Estate Practice; Recognition for Licensure. RSA 331-A:11-a is repealed and reenacted to read as follows:

331-A:11-a Recognition for Licensure. If an applicant holds an active real estate license in good standing, issued by passing the national and state examinations in accordance with the laws of another jurisdiction, that applicant may apply for a New Hampshire license with the same equivalent status as currently licensed in the qualifying jurisdiction by first passing the New Hampshire portion of the licensing examination, provided that other requirements of the commission have been met. If an applicant holds an active real estate license in good standing issued by passing only the state examination in accordance with the laws of another jurisdiction, that applicant may apply for a New Hampshire license with the same equivalent status as currently licensed in the qualifying jurisdiction by first passing the New Hampshire and national portions of the licensing examination, provided that other requirements of the commission have been met. This section shall apply to salesperson and broker applicants only when such applicants are applying for a New Hampshire license with same equivalent status as currently licensed in the qualifying jurisdiction.

39:3 Real Estate Practice; Denial of Recognition. Amend RSA 331-A:23 to read as follows:

331-A:23 Denial of [~~Reciprocity~~] ***Recognition***. No broker or salesperson applicant whose license as a broker or salesperson is under revocation or suspension in another state shall be granted a license as a broker or salesperson in this state; and, if already granted a license through reciprocity ***or recognition***, it may be revoked or suspended as provided under this chapter upon proof of the other state's action.

39:4 Effective Date. This act shall take effect 90 days after its passage.

Approved: May 03, 2022
Effective Date: August 01, 2022