

Amendment to HB 355

1 Amend the bill by replacing all after the enacting clause with the following:

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3 1 Inactive Status; Commissions. Amend RSA 331-A:12-a, I to read as follows:

4 I. Any licensee who does not want to perform as a broker or salesperson as defined in RSA
5 331-A:2, and who wants to preserve the license while not engaged in any brokerage activities,
6 including ~~[the receiving of referral fees or any other form of compensation]~~ ***making any referrals***
7 ***for commission or for other compensation, or for the promise of such commission or other***
8 ***compensation***, may surrender that license to the commission for placement on inactive status.
9 ***Provided, however, that while on inactive status, the licensee may be compensated by his or***
10 ***her previous responsible broker for brokerage activities or referrals for which the licensee***
11 ***participated while the licensee was active, pursuant to RSA 331-A:26, XXIV.*** The commission
12 shall place the licensee on inactive status only upon a written request by the licensee. While on
13 inactive status, the licensee shall renew the license biennially by satisfying the renewal
14 requirements under RSA 331-A:19 and the continuing education requirements adopted by the
15 commission, but is not required to maintain a place of business, or in the case of a licensed principal
16 or managing broker, to maintain a surety bond pursuant to RSA 331-A:14.

17 2 Real Estate Practice; Recognition for Licensure. RSA 331-A:11-a is repealed and reenacted to
18 read as follows:

19 331-A:11-a Recognition for Licensure. If an applicant holds an active real estate license in good
20 standing, issued by passing the national and state examinations in accordance with the laws of
21 another jurisdiction, that applicant may apply for a New Hampshire license with the same
22 equivalent status as currently licensed in the qualifying jurisdiction by first taking the New
23 Hampshire portion of the licensing examination, provided that other requirements of the commission
24 have been met. If an applicant holds an active real estate license in good standing issued by passing
25 only the state examination in accordance with the laws of another jurisdiction, that applicant may
26 apply for a New Hampshire license with the same equivalent status as currently licensed in the
27 qualifying jurisdiction by first taking the New Hampshire and national portions of the licensing
28 examination, provided that other requirements of the commission have been met. This section
29 applies to nonresident salesperson and broker applicants only when such applicants are applying for
30 a New Hampshire license with same equivalent status as currently licensed in the qualifying
31 jurisdiction.

32 3 Real Estate Practice; Denial of Recognition. Amend RSA 331-A:23 to read as follows:

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1 331-A:23 Denial of [~~Reciprocity~~] **Recognition**. No broker or salesperson applicant whose license
2 as a broker or salesperson is under revocation or suspension in another state shall be granted a
3 license as a broker or salesperson in this state; and, if already granted a license through reciprocity
4 **or recognition**, it may be revoked or suspended as provided under this chapter upon proof of the
5 other state's action.

6 4 Effective Date. This act shall take effect 60 days after its passage.

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AMENDED 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.