

HB 1110 - VERSION ADOPTED BY BOTH BODIES

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

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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.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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.