

CHAPTER 21  
HB 1110 - FINAL VERSION

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 struck through.~~]

Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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-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           21:1 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 commission  
4 which demonstrates satisfactory knowledge and understanding of the principles of real estate practice.  
5 The office shall only accept for licensure, an applicant who shows proof of completion of 60 *credit* hours of  
6 approved study which shall have been completed prior to the date of the applicant's examination;

7           21:2 Real Estate Practice; Inactive Licensure Status. Amend RSA 331-A:12-b, I to read as follows:

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

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

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

27           21:4 Real Estate Practice Act; Programs of Study; Preparatory Education; Continuing Education.  
28 Amend the introductory paragraph of RSA 331-A:20, IV to read as follows:

29                   IV. Any instructors accredited by the office to teach a preparatory or continuing education  
30 program who commits any of the following acts, conduct, or practices shall, after a hearing under RSA  
31 *310* [~~331-A:30~~], be subject to disciplinary action as provided in RSA *310* [~~331-A:28~~]:

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1       21:5 Real Estate Practice Act; Practice by Brokers in Other Jurisdictions. Amend RSA 331-A:22-a, V  
2 to read as follows:

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

5       21:6 Real Estate Practice Act; Rulemaking. Amend RSA 331-A:25, IX to read as follows:

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

11       21:7 Real Estate Practice Act; Prohibited Conduct. Amend the introductory paragraph of RSA 331-  
12 A:26 to read as follows:

13       331-A:26 Prohibited Conduct. The following acts, conduct or practices are prohibited, and any  
14 licensee found guilty after a hearing shall be subject to disciplinary action as provided in RSA **310** [~~331-  
15 A:28~~]:

16       21:8 Real Estate Practice; Prohibited Conduct. Amend RSA 331-A:26, III to read as follows:

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

24       21:9 Real Estate Practice; Prohibited Conduct. Amend RSA 331-A:26, XVII to read as follows:

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

      21:10 Effective Date. This act shall take effect 60 days after its passage.

Approved: April 03, 2026  
Effective Date: June 02, 2026