



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

SB3018

Introduced 2/4/2010, by Sen. M. Maggie Crotty

SYNOPSIS AS INTRODUCED:

225 ILCS 454/5-50

Amends the Real Estate License Act of 2000. Beginning on May 1, 2012, provides that a managing broker, broker, or leasing agent whose license has been expired for more than 2 years but less than 5 years may have it restored by (i) applying to the Department, (ii) paying the required fee, (iii) completing the continuing education requirements for the current pre-renewal period, and (iv) filing acceptable proof of fitness to have his or her license restored, as set by rule. Provides that a managing broker, broker, salesperson, or leasing agent whose license has been expired for more than 5 years shall be required to meet the requirements for a new license (now, 2 years). Also makes technical changes.

LRB096 19751 ASK 35179 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning professional regulation.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Real Estate License Act of 2000 is amended
5 by changing Section 5-50 as follows:

6 (225 ILCS 454/5-50)

7 (Section scheduled to be repealed on January 1, 2020)

8 Sec. 5-50. Expiration and renewal of managing broker,
9 broker, salesperson, or leasing agent license; sponsoring
10 broker; register of licensees; pocket card.

11 (a) The expiration date and renewal period for each license
12 issued under this Act shall be set by rule, except that the
13 first renewal period ending after the effective date of this
14 Act for those licensed as a salesperson shall be extended
15 through April 30, 2012. Except as otherwise provided in this
16 Section, the holder of a license may renew the license within
17 90 days preceding the expiration date thereof by completing the
18 continuing education required by this Act and paying the fees
19 specified by rule.

20 (b) An individual whose first license is that of a broker
21 received after April 30, 2011, must provide evidence of having
22 completed 30 hours of post-license education in courses
23 approved by the Advisory Council, 15 hours of which must

1 consist of situational and case studies presented in the
2 classroom or by other interactive delivery method presenting
3 instruction and real time discussion between the instructor and
4 the students, and personally take and pass an examination
5 approved by the Department prior to the first renewal of their
6 broker's license.

7 (c) Any managing broker, broker, salesperson, or leasing
8 agent whose license under this Act has expired shall be
9 eligible to renew the license during the 2-year period
10 following the expiration date, provided the managing broker,
11 broker, salesperson, or leasing agent pays the fees as
12 prescribed by rule and completes continuing education and other
13 requirements provided for by the Act or by rule. Beginning on
14 May 1, 2012, a managing broker, broker, or leasing agent whose
15 license has been expired for more than 2 years but less than 5
16 years may have it restored by (i) applying to the Department,
17 (ii) paying the required fee, (iii) completing the continuing
18 education requirements for the current pre-renewal period, and
19 (iv) filing acceptable proof of fitness to have his or her
20 license restored, as set by rule. A managing broker, broker,
21 salesperson, or leasing agent whose license has been expired
22 for more than 5 ~~2~~ years shall be required to meet the
23 requirements for a new license.

24 (d) Notwithstanding any other provisions of this Act to the
25 contrary, any managing broker, broker, salesperson, or leasing
26 agent whose license expired while he or she was (i) on active

1 duty with the Armed Forces of the United States or called into
2 service or training by the state militia, (ii) engaged in
3 training or education under the supervision of the United
4 States preliminary to induction into military service, or (iii)
5 serving as the Coordinator of Real Estate in the State of
6 Illinois or as an employee of the Department may have his or
7 her license renewed, reinstated or restored without paying any
8 lapsed renewal fees if within 2 years after the termination of
9 the service, training or education by furnishing the Department
10 with satisfactory evidence of service, training, or education
11 and it has been terminated under honorable conditions.

12 (e) The Department shall establish and maintain a register
13 of all persons currently licensed by the State and shall issue
14 and prescribe a form of pocket card. Upon payment by a licensee
15 of the appropriate fee as prescribed by rule for engagement in
16 the activity for which the licensee is qualified and holds a
17 license for the current period, the Department shall issue a
18 pocket card to the licensee. The pocket card shall be
19 verification that the required fee for the current period has
20 been paid and shall indicate that the person named thereon is
21 licensed for the current renewal period as a managing broker,
22 broker, salesperson, or leasing agent as the case may be. The
23 pocket card shall further indicate that the person named
24 thereon is authorized by the Department to engage in the
25 licensed activity appropriate for his or her status (managing
26 broker, broker, salesperson, or leasing agent). Each licensee

1 shall carry on his or her person his or her pocket card or, if
2 such pocket card has not yet been issued, a properly issued
3 sponsor card when engaging in any licensed activity and shall
4 display the same on demand.

5 (f) The Department shall provide to the sponsoring broker a
6 notice of renewal for all sponsored licensees by mailing the
7 notice to the sponsoring broker's address of record, or, at the
8 Department's discretion, by an electronic means as provided for
9 by rule.

10 (g) Upon request from the sponsoring broker, the Department
11 shall make available to the sponsoring broker, either by mail
12 or by an electronic means at the discretion of the Department,
13 a listing of licensees under this Act who, according to the
14 records of the Department, are sponsored by that broker. Every
15 licensee associated with or employed by a broker whose license
16 is revoked, suspended, terminated, or expired shall be
17 considered as inoperative until such time as the sponsoring
18 broker's license is reinstated or renewed, or the licensee
19 changes employment as set forth in subsection (c) of Section
20 5-40 of this Act.

21 (Source: P.A. 96-856, eff. 12-31-09.)