

**CHAPTER 257, Laws of 1975**

AN ACT to amend 452.02 (2) and 452.08 (5); and to create 452.04(1m) and 452.05(1m) and (2m) of the statutes, relating to educational requirements for real estate brokers and salesmen and granting rule-making authority.

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

**SECTION 1. Legislative findings and intent.** (1) In adopting a requirement for preliminary and continuing education and experience for real estate broker and salesman licensees, the legislature finds that:

(a) The purchase of a home is the largest and most important single investment made by many people during their lifetimes;

(b) The real estate broker and salesman are in position to help assure that a person's investment in a particular home will be best suited to that person's needs and economic circumstances;

(c) All but 2 states in this country, Wisconsin and Massachusetts, have enacted laws establishing special experience or educational requirements in real estate related subjects for real estate brokers and salesmen; and

(d) Educational requirements will help improve the quality of service provided by real estate brokers to the consumers of these services, the home-buying public of this state.

(2) Based upon these findings it is the intent of the legislature in adopting this law to protect the consuming public of this state and to improve the quality of services provided to the consuming public by licensed real estate brokers and salesmen by providing minimum levels of preliminary and continuing education and experience for real estate licensees in a program sufficient enough to achieve its goals, flexible enough to keep abreast of current developments in real estate, and yet not unnecessarily restricting entrance into the field of real estate sales.

**SECTION 1m.** 452.02 (2) of the statutes is amended to read:

452.02 (2) Every such registered cemetery association or corporation shall designate a resident real estate broker licensed under this chapter as its broker and any resident licensed broker may be so designated. A real estate broker designated as a cemetery broker under this section who engages in no real estate brokerage activity except as a cemetery broker shall not be subject to the requirements of s. 452.05 (1m) and 452.08 (5) (c) for the issuance or renewal of his brokerage license.

**SECTION 2.** 452.04 (1m) of the statutes is created to read:

452.04 (1m) The examining board shall promulgate rules establishing criteria for the approval of educational programs and training sessions under ss. 452.05 (1m) and (2m) and 452.08 (5) (c) and shall approve such programs and sessions in accordance with the criteria so established. To be eligible for approval, educational programs and training sessions shall deal with the real estate aspects of appraising, finance and marketing, real property management, real estate counseling, real property law or other real estate related subjects.

**SECTION 3.** 452.05 (1m) and (2m) of the statutes are created to read:

452.05 (1m) **ADDITIONAL REQUIREMENTS FOR BROKER'S LICENSE.** Each applicant for an original real estate broker's license shall submit to the examining board proof of attendance at 60 classroom hours of educational programs approved by the examining board. The examining board shall waive the educational requirement upon proof that the applicant has received 20 academic credits in real estate or law at an accredited institution of higher education and the requirement of minimum licensure as a salesman upon proof that the applicant is licensed to practice law in the state.

(2m) **SALESMEN'S EDUCATIONAL PROGRAMS.** Within the 24-month period commencing with the first day of September following the granting of his original real estate salesman's license each licensed real estate salesman shall submit to the examining board proof of attendance at 30 classroom hours of educational programs approved by the examining board. The examining board may give credit toward the completion of this requirement for approved educational programs attended by the licensee before the commencement of the 24-month period. His license shall not be renewed if the licensee does not meet the educational requirement within the 24-month period.

**SECTION 4.** 452.08 (5) of the statutes is amended to read:

452.08 (5) **RENEWAL.** (a) Renewal applications for all licenses for the ensuing year shall be submitted with the required fee on or before August 31 of the current year. If a renewal application is filed with the department after August 31 it shall be accompanied by a late filing fee of \$10 in addition to the required renewal fee.

(b) If an application for renewal is not filed with the department on or before December 31 of the current license year, the applicant shall be prohibited from engaging in any of the activities covered by such license until his license is renewed or a new license issued. The examining board shall accept renewal applications at any time during the year after the license expired upon payment of the renewal fee and penalty. The examining board shall not thereafter grant a license until the applicant passes the required written examination.

(c) Every licensee shall submit proof to the examining board of attendance at a minimum of 10 classroom hours of approved training sessions every 2 years. The 2-year period shall be measured as of August 31 of each year. A licensee who is also licensed to practice law in this state shall be granted credit for attendance at continuing legal education programs which the examining board determines to be related to real estate matters. If upon application for renewal the licensee has not submitted proof of having met this requirement in the preceding 2 years, the examining board may withhold issuance of the renewal license until such proof is submitted.

**SECTION 5. Effective dates.** The provisions of this act dealing with sections 452.04 (1m) and 452.05 (1m) and (2m) of the statutes, as created by this act, shall take effect one year after publication. The provision of this act dealing with section 452.08 (5) of the statutes, shall take effect 2 years after publication.

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