

2013 DRAFTING REQUEST

Bill

Received: **5/16/2013** Received By: **mgallagh**
Wanted: **As time permits** Same as LRB: **-1562**
For: **Richard Gudex (608) 266-5300** By/Representing: **Lance**
May Contact: Drafter: **mgallagh**
Subject: **Occupational Reg. - prof lic** Addl. Drafters:
Extra Copies:

Submit via email: **YES**
Requester's email: **Sen.Gudex@legis.wisconsin.gov**
Carbon copy (CC) to: **michael.gallagher@legis.wisconsin.gov**

Pre Topic:

No specific pre topic given

Topic:

Training requirements for real estate broker license

Instructions:

See attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/1	mgallagh 5/16/2013	scalvin 5/16/2013	rschluet 5/16/2013	_____	lparisi 5/16/2013	rosrose 5/30/2013	

FE Sent For:

↳ Not Needed <END>

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/1	mgallagh	1 sac 05/16/2013		_____	_____		

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Gallagher, Michael

From: Burri, Lance
Sent: Thursday, May 16, 2013 10:32 AM
To: Turke, Jon; Gallagher, Michael
Subject: Broker bill companions

Jon, we're just going to draft a companion to yours so they both include that extra half-sentence. Would you shoot Mike an email to give him permission? That's LRB 1562/2.

Thanks.

Lance Burri
Office of Sen. Rick Gudex
608-266-5300

Gallagher, Michael

From: Turke, Jon
Sent: Thursday, May 16, 2013 10:33 AM
To: Gallagher, Michael
Subject: RE: Broker's License Bill

Hi Mike-

Could you please release 1562/2 to the Gudex office?

And if we could get it jacketed that would be great too.

Thanks!

Jon Turke

Office of Rep. Jim Steineke
Assistant Majority Leader
608-266-2418

From: Gallagher, Michael
Sent: Monday, March 25, 2013 11:06 AM
To: Turke, Jon
Subject: RE: Broker's License Bill

Will do.

Mike Gallagher

Attorney
Wisconsin Legislative Reference Bureau
(608) 267-7511

From: Turke, Jon
Sent: Monday, March 25, 2013 11:05 AM
To: Gallagher, Michael
Subject: RE: Broker's License Bill

I think we can leave out the higher ed reference, but we'll leave in the ancillary services portion for now.

Thanks!

Jon Turke

Office of Rep. Jim Steineke
Assistant Majority Leader
608-266-2418

From: Gallagher, Michael
Sent: Wednesday, March 20, 2013 9:48 AM
To: Turke, Jon
Subject: RE: Broker's License Bill

John: Regarding the second change indicated below, education requirements are treated in current law under s. 459.02 (2), stats. Do you want me to include a revision of that s. 459.02 (2), stats, in this draft? The higher education reference would be out of place, and would therefore create confusion, under s. 459.02 (4), created in the draft, which deals with experience or practice requirements, not education requirements.

Also, it is unnecessary to specify that ancillary services used in real estate transactions may be included by the board in rules establishing standards concerning practice or experience "related to real estate." That "related to" is quite broad. Nevertheless, I can include the "ancillary services" language in the redraft.

Mike

Mike Gallagher
Attorney
Wisconsin Legislative Reference Bureau
(608) 267-7511

From: Turke, Jon
Sent: Friday, March 08, 2013 1:46 PM
To: Gallagher, Michael
Subject: Broker's License Bill

Hi Mike,

I have a couple changes to the Broker's license bill:

Section 4, line 15 – change the effective date to July 1, 2014

Section 2, line 10 – after "real estate" add "which may include, but is not limited to, higher education (including college and professional designations) and work in ancillary services used in real estate transactions.

Thanks!

Jon Turke
Office of Rep. Jim Steineke
Assistant Majority Leader
608-266-2418



Thanks



LRB-1562/2
MPG:sac
stays

2387/1

2013 BILL

No changes / Companion RLR

Please Sacket this draft (2387/1)
and its companion (1562/2)
Thanks

1 AN ACT ^{gen cat} to amend 452.09 (3) (d); and to create 452.09 (4) of the statutes;
2 relating to: experience requirements for real estate brokers and granting
3 rule-making authority.

Analysis by the Legislative Reference Bureau

Under current law, the Real Estate Examining Board (board) issues licenses for real estate brokers and real estate salespersons. Generally, the board may not grant a broker's license to an applicant who does not already hold a salesperson's license or who has not passed the examination for licensure as a salesperson in addition to passing the broker's examination.

This bill establishes the requirement that an applicant for a broker's license must submit evidence satisfactory to the board that the applicant has practiced as a salesperson under the direct supervision of a licensed broker for at least two years within the last four years preceding the date of the applicant's application for the broker's license. Any time spent as an apprentice may not be applied to satisfy that requirement. If the applicant is an attorney licensed to practice law in Wisconsin, the applicant may satisfy that requirement by demonstrating to the board's satisfaction that the applicant has real estate-related experience. If the applicant is a building contractor that holds a current certificate of financial responsibility issued by the Department of Safety and Professional Services, the applicant may satisfy that requirement by demonstrating to the board's satisfaction that the applicant has experience related to real estate sales. If the applicant is a nonresident, the applicant may satisfy that requirement by demonstrating to the

BILL

board's satisfaction that the applicant has been licensed as a real estate broker under the laws of another state for at least two of the last four years preceding the person's application for a broker's license in Wisconsin.

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

1 **SECTION 1.** 452.09 (3) (d) of the statutes is amended to read:

2 452.09 (3) (d) Except as provided under s. 452.12 (2) or in a reciprocal
3 agreement under s. 452.05 (3), the board may not grant a broker's license to an
4 applicant who does not ~~hold a salesperson's license unless the applicant passes the~~
5 ~~salesperson's examination and the broker's examination~~ meet the requirements
6 under this section.

7 **SECTION 2.** 452.09 (4) of the statutes is created to read:

8 452.09 (4) EXPERIENCE REQUIREMENTS FOR BROKER'S LICENSE APPLICANTS. (a) An
9 applicant for a broker's license who is an individual shall submit to the board
10 evidence satisfactory to the board that the applicant has practiced as a salesperson
11 under the direct supervision of a licensed broker for at least 2 years within the last
12 4 years preceding the date of the applicant's application for a broker's license,
13 excluding any time the applicant spent in an apprenticeship under sub. (5).

14 (b) An applicant who is licensed to practice law in this state may satisfy the
15 requirement under par. (a) by submitting to the board evidence satisfactory to the
16 board that the applicant has experience related to real estate.

17 (c) An applicant who holds a current certificate of financial responsibility under
18 s. 101.654 may satisfy the requirement under par. (a) by submitting to the board
19 evidence satisfactory to the board that the applicant has experience related to real
20 estate sales.

Barman, Mike

From: Burri, Lance
Sent: Thursday, May 30, 2013 1:20 PM
To: LRB.Legal
Subject: Draft Review: LRB -2387/1 Topic: Training requirements for real estate broker license

Please Jacket LRB -2387/1 for the SENATE.