

SESSION OF 2013

SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2122

As Amended by House Committee on
Commerce, Labor and Economic Development

Brief*

HB 2122, as amended, would revise the Kansas Real Estate Brokers' and Salespersons' License Act and the Brokerage Relationships in Real Estate Transactions Act. The bill would allow the Kansas Real Estate Commission to approve continuing education providers that offer real estate courses. The bill also would clarify the right of the Commission to refuse to grant or renew a real estate license, or place certain conditions on a license, for applicants.

The Commission would be authorized to take disciplinary action toward applicants and licensees who engage in prohibited conduct, even when a licensee is not involved in a real estate transaction as an agent, transaction broker, or principal. A buyer's or tenant's agent would be permitted to present an offer to a seller or landlord if that person's transaction broker is present.

Background

Representatives of the Kansas Real Estate Commission and Kansas Association of Realtors provided proponent testimony for the bill. The proponents stated the bill includes mostly technical changes that would correct problems in the statutory language and resolve uncertainties in enforcing the statutes.

There was no opponent testimony.

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

The House Committee on Commerce, Labor and Economic Development amended the bill to strike the proposed inclusion of "a former client or customer" under the section which bars licensees from committing threats, physical abuse, or harassment towards certain groups of people. The Committee further amended the bill to specify conduct of an applicant or licensee that would interfere with the Commission's responsibility to license and discipline applicants and licensees.

The fiscal note prepared by the Division of the Budget states the passage of the bill would increase administrative costs by a negligible amount that could be absorbed within existing resources. The Kansas Real Estate Commission estimates, based on the fees previously charged by the Board of Regents, the lost fee revenue would amount to \$7,600 in FY 2014 and \$12,000 in FY 2015. Any fiscal effect associated with HB 2122 is not reflected in *The FY 2014 Governor's Budget Report*.