

Testimony on SB 106
House Commerce, Labor and Economic Development Committee
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Good afternoon Chairman Hutton and members of the committee. The Kansas Real Estate Commission, thank you for the opportunity to present testimony as a proponent of SB 106.

Over the last five years, the Commission has researched and reviewed the Kansas Real Estate Brokers' and Salespersons' Act and the Brokerage Relationships in Real Estate Transactions Act in order to address statutory language that Commission staff and licensees have determined needs updated. The technical changes in SB 106 are a result of that work.

Section 1.

- The proposed amendment to K.S.A. 58-3046a(e) will replace "additional instruction" with "continuing education" which is a more common reference.
- The proposed amendment to K.S.A. 58-3046a(h) is to update the term "area vocation or vocational-technical school" to "technical college". The commission believes the amendment will not change the interpretation of the statute, but will make the language match modern terminology.
- The proposed amendment to K.S.A. 58-3046a(h)(6) will give the Commission the authority to review and approve additional providers, giving our licensees more choices for required continuing education. Since the Kansas Board of Regents no longer certifies state institutions for continuing education courses for real estate licensees unless the institution offers a pre-license program as well, there is a need for the Kansas Real Estate Commission to be able to approve additional entities who will offer continuing education courses. Many of the continuing education providers who provide for our Kansas licensees do not offer a pre-licensing program and so, are not able to be approved by the Board of Regents.

Section 2.

- The proposed amendments to K.S.A. 58-3050 would make clear the conditions of licensure apply to both an existing licensee and a new original applicant.

Section 3.

- The proposed amendments to K.S.A. 58-3062 provide the Commission with the authority to impose discipline on new license applicants or existing licensees for engaging in fraudulent conduct, forgery, or in withholding information or refusing to cooperate with investigations, audits, or licensure. The commission believes the amendment will add greater protection for the public from dishonest or unqualified individuals who are seeking licensure.

Section 4.

- The proposed amendment to K.S.A. 58-30, 103(p) will allow a seller or landlord to be represented in a transaction by a transaction broker. The proposed change reflects current industry practice.

Section 5.

- The proposed amendment to K.S.A. 58-30,106(j) fixes a drafting error in the statute by changing the word "or" to "on".

The Commission thanks you for the opportunity to provide comments on SB 106 and respectfully requests the members of the House Commerce, Labor and Economic Development Committee support these technical changes updating the Kansas Real Estate Brokers' and Salespersons' Act and the Brokerage Relationships in Real Estate Transactions Act. I will stand for questions at the appropriate time.