

APR 14 1989

APPROPRIATIONS CALENDAR
Sen. Approps
DO PASS 4-27-89 (p.1740)

HOUSE FILE 764
BY COMMITTEE ON
APPROPRIATIONS

(SUCCESSOR TO HF 457)

Passed House, Date 4-24-89 (p.1820) Passed Senate, Date 5-3-89 (p.1866)
Vote: Ayes 99 Nays 0 Vote: Ayes 42 Nays 0

Approved June 2, 1989

Repassed House 5-3-89 (p.2355)
Ayes 93 Nays 0 A BILL FOR

1 An Act relating to the establishment of real estate education
2 programs and making an appropriation.

S-4072

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22

HF 764

1 Section 1. Section 117.8, Code 1989, is amended by adding
2 the following new unnumbered paragraph:

3 NEW UNNUMBERED PARAGRAPH. The administrator of the
4 professional licensing and regulation division of the
5 department of commerce shall hire a real estate education
6 director to assist the commission in administering education
7 programs for the commission.

8 Sec. 2. Section 117.14, Code 1989, is amended to read as
9 follows:

10 117.14 FEES AND EXPENSES.

11 All fees and charges collected by the real estate
12 commission under this chapter shall be paid into the general
13 fund in the state treasury, except that the equivalent of ten
14 dollars per year of the fees for each real estate
15 salesperson's or broker's license shall be paid into the Iowa
16 real estate education fund created in section 117.54. All
17 expenses incurred by the commission under this chapter,
18 including compensation of staff assigned to the commission,
19 shall be paid out of the general fund in the state treasury,
20 except for expenses incurred and compensation paid for the
21 real estate education director, which shall be paid out of the
22 real estate education fund.

23 Sec. 3. Section 117.27, Code 1989, is amended by adding
24 the following new subsection:

25 NEW SUBSECTION. 4. Establishing and maintaining a real
26 estate education program.

27 Sec. 4. NEW SECTION. 117.54 REAL ESTATE EDUCATION FUND.

28 The Iowa real estate education fund is created as a
29 financial assurance mechanism to assist in the establishment
30 and maintenance of a real estate education program at the
31 university of northern Iowa and to assist the real estate
32 commission in providing an education director. The fund is
33 created as a separate fund in the state treasury, and any
34 funds remaining in the fund at the end of each fiscal year
35 shall not revert to the general fund, but shall remain in the

1 Iowa real estate education fund. Interest or other income
2 earned by the fund shall be deposited in the fund. Seventy
3 percent of the moneys in the fund shall be distributed and are
4 appropriated to the board of regents for the purpose of
5 establishing and maintaining a real estate education program
6 at the university of northern Iowa. Thirty percent of the
7 moneys in the fund shall be distributed and are appropriated
8 to the professional licensing and regulation division of the
9 department of commerce for the purpose of hiring and
10 compensating a real estate education director.

S-4072

11 Sec. 5. INCREASE IN FEES. The real estate commission
12 shall, by administrative rule, increase the fees for a real
13 estate salesperson's and a real estate broker's license by the
14 equivalent of ten dollars per year. The amount of the
15 increase shall be paid by the professional licensing and
16 regulation division of the department of commerce into the
17 Iowa real estate education fund of the state treasury.

18 EXPLANATION

19 This bill establishes a real estate education program.
20 The program is to be established at the university of northern
21 Iowa. Program coordination with real estate commission rules
22 is to be provided by a real estate education director. The
23 real estate education director is to be employed by the
24 professional licensing and regulation division of the
25 department of commerce. The program and the director are to
26 be funded by an increase in licensing fees for real estate
27 salespersons and brokers. A special segregated fund is
28 created in the state treasury to capture the increase in fees
29 and to appropriate and distribute the moneys to the board of
30 regents and the real estate commission for compensation of
31 staff and payment of program expenses.

32
33
34
35

HOUSE FILE 764

S-4072

1 Amend House File 764, as passed by the House, as
2 follows:

3 1. Page 2, by inserting after line 10 the
4 following:

5 "Sec. ____ Section 258A.2, Code 1989, is amended
6 by adding the following new subsection:

7 NEW SUBSECTION. 4. A person licensed to sell real
8 estate in this state shall be deemed to have complied
9 with the continuing education requirements of this
10 state during periods that the person serves honorably
11 on active duty in the military services, or for
12 periods that the person is a resident of another state
13 or district having a continuing education requirement
14 for the occupation or profession and meets all
15 requirements of that state or district for practice
16 therein, if the state or district accords the same
17 privilege to Iowa residents, or for periods that the
18 person is a government employee working in the
19 person's licensed specialty and assigned to duty
20 outside of the United States, or for other periods of
21 active practice and absence from the state approved by
22 the appropriate board of examiners."

23 2. Title page, line 2, by inserting after the
24 word "appropriation" the following: "and relating to
25 reciprocity in continuing education requirements for
26 persons licensed to sell real estate in this state".

27 3. By renumbering as necessary.

By CALVIN O. HULTMAN

S-4072 FILED MAY 2, 1989

adopted 5-3-89 (p866)

SENATE AMENDMENT TO HOUSE FILE 764

H-4395

1 Amend House File 764, as passed by the House, as
2 follows:

3 1. Page 2, by inserting after line 10 the
4 following:

5 "Sec. ____ . Section 258A.2, Code 1989, is amended
6 by adding the following new subsection:

7 NEW SUBSECTION. 4. A person licensed to sell real
8 estate in this state shall be deemed to have complied
9 with the continuing education requirements of this
10 state during periods that the person serves honorably
11 on active duty in the military services, or for
12 periods that the person is a resident of another state
13 or district having a continuing education requirement
14 for the occupation or profession and meets all
15 requirements of that state or district for practice
16 therein, if the state or district accords the same
17 privilege to Iowa residents, or for periods that the
18 person is a government employee working in the
19 person's licensed specialty and assigned to duty
20 outside of the United States, or for other periods of
21 active practice and absence from the state approved by
22 the appropriate board of examiners."

23 2. Title page, line 2, by inserting after the
24 word "appropriation" the following: "and relating to
25 reciprocity in continuing education requirements for
26 persons licensed to sell real estate in this state".

27 3. By renumbering as necessary.

RECEIVED FROM THE SENATE

H-4395 FILED MAY 3, 1989

CONCURRED

5-3-89 (p. 2355)

HOUSE FILE 764

AN ACT

RELATING TO THE ESTABLISHMENT OF REAL ESTATE EDUCATION PROGRAMS AND MAKING AN APPROPRIATION AND RELATING TO RECIPROCITY IN CONTINUING EDUCATION REQUIREMENTS FOR PERSONS LICENSED TO SELL REAL ESTATE IN THIS STATE.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. Section 117.8, Code 1989, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. The administrator of the professional licensing and regulation division of the department of commerce shall hire a real estate education director to assist the commission in administering education programs for the commission.

Sec. 2. Section 117.14, Code 1989, is amended to read as follows:

117.14 FEES AND EXPENSES.

All fees and charges collected by the real estate commission under this chapter shall be paid into the general fund in the state treasury, except that the equivalent of ten dollars per year of the fees for each real estate salesperson's or broker's license shall be paid into the Iowa real estate education fund created in section 117.54. All expenses incurred by the commission under this chapter, including compensation of staff assigned to the commission, shall be paid out of the general fund in the state treasury, except for expenses incurred and compensation paid for the real estate education director, which shall be paid out of the real estate education fund.

Sec. 3. Section 117.27, Code 1989, is amended by adding the following new subsection:

NEW SUBSECTION. 4. Establishing and maintaining a real estate education program.

Sec. 4. NEW SECTION. 117.54 REAL ESTATE EDUCATION FUND.

The Iowa real estate education fund is created as a financial assurance mechanism to assist in the establishment and maintenance of a real estate education program at the university of northern Iowa and to assist the real estate commission in providing an education director. The fund is created as a separate fund in the state treasury, and any funds remaining in the fund at the end of each fiscal year shall not revert to the general fund, but shall remain in the Iowa real estate education fund. Interest or other income earned by the fund shall be deposited in the fund. Seventy percent of the moneys in the fund shall be distributed and are appropriated to the board of regents for the purpose of establishing and maintaining a real estate education program at the university of northern Iowa. Thirty percent of the moneys in the fund shall be distributed and are appropriated to the professional licensing and regulation division of the department of commerce for the purpose of hiring and compensating a real estate education director.

Sec. 5. Section 258A.2, Code 1989, is amended by adding the following new subsection:

NEW SUBSECTION. 4. A person licensed to sell real estate in this state shall be deemed to have complied with the continuing education requirements of this state during periods that the person serves honorably on active duty in the military services, or for periods that the person is a resident of another state or district having a continuing education requirement for the occupation or profession and meets all requirements of that state or district for practice therein, if the state or district accords the same privilege to Iowa residents, or for periods that the person is a government employee working in the person's licensed specialty and assigned to duty outside of the United States, or for

other periods of active practice and absence from the state approved by the appropriate board of examiners.

Sec. 6. INCREASE IN FEES. The real estate commission shall, by administrative rule, increase the fees for a real estate salesperson's and a real estate broker's license by the equivalent of ten dollars per year. The amount of the increase shall be paid by the professional licensing and regulation division of the department of commerce into the Iowa real estate education fund of the state treasury.

DONALD D. AVENSON
Speaker of the House

JO ANN ZIMMERMAN
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 764, Seventy-third General Assembly.

Approved *June 2*, 1989

JOSEPH O'HERN
Chief Clerk of the House

TERRY E. BRANSTAD
Governor