

House Study Bill 135

HOUSE FILE _____
BY (PROPOSED COMMITTEE ON
STATE GOVERNMENT BILL
BY CHAIRPERSON ELGIN)

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act increasing the membership of the real estate commission.
2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
3 TLSB 2237HC 81
4 jr/gg/14

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1 1 Section 1. Section 543B.8, unnumbered paragraph 1, Code
1 2 2005, is amended to read as follows:
1 3 A real estate commission is created within the professional
1 4 licensing and regulation division of the department of
1 5 commerce. The commission consists of ~~three~~ five members
1 6 licensed under this chapter and two members not licensed under
1 7 this chapter and who shall represent the general public. At
1 8 least one of the licensed members shall be a licensed real
1 9 estate salesperson, except that if the licensed real estate
1 10 salesperson becomes a licensed real estate broker during a
1 11 term of office, that person may complete the term, but is not
1 12 eligible for reappointment on the commission as a licensed
1 13 real estate salesperson. A licensed member shall be actively
1 14 engaged in the real estate business and shall have been so
1 15 engaged for five years preceding the appointment, the last two
1 16 of which shall have been in Iowa. Professional associations
1 17 or societies of real estate brokers or real estate
1 18 salespersons may recommend the names of potential commission
1 19 members to the governor. However, the governor is not bound
1 20 by their recommendations. A commission member shall not be
1 21 required to be a member of any professional association or
1 22 society composed of real estate brokers or salespersons.
1 23 Commission members shall be appointed by the governor subject
1 24 to confirmation by the senate. Appointments shall be for
1 25 three-year terms and shall commence and end as provided in
1 26 section 69.19. A member shall serve no more than three terms
1 27 or nine years, whichever is less. No more than one member
1 28 shall be appointed from a county. A commission member shall
1 29 not hold any other elective or appointive state or federal
1 30 office. Vacancies shall be filled for the unexpired term by
1 31 appointment of the governor and are subject to senate
1 32 confirmation. A majority of the commission members
1 33 constitutes a quorum. The administrator of the professional
1 34 licensing and regulation division shall hire and provide staff
1 35 to assist the commission with implementing this chapter.

2 1 EXPLANATION
2 2 Under current law the real estate commission is made up of
2 3 five members; three members are either licensed as real estate
2 4 salespersons or brokers and two members are not licensed.
2 5 This bill expands the licensed membership of the board from
2 6 three to five, for a total board membership of seven.
2 7 LSB 2237HC 81
2 8 jr:nh/gg/14