

FEB 2 5 1905.
Place On Calendar

HOUSE FILE 469
BY COMMITTEE ON STATE
GOVERNMENT

(SUCCESSOR TO HSB 135)

Passed House, Date 3-14-05 Passed Senate, Date 4-12-05
Vote: Ayes 97 Nays 0 Vote: Ayes 50 Nays 0
Approved 4/19/05

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:

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HF 469

1 Section 1. Section 543B.8, unnumbered paragraph 1, Code
2 2005, is amended to read as follows:

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

EXPLANATION

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2 Under current law the real estate commission is made up of
3 five members; three members are either licensed as real estate
4 salespersons or brokers and two members are not licensed.
5 This bill expands the licensed membership of the board from
6 three to five, for a total board membership of seven.

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HSB 135
STATE GOVERNMENT

Chair: Tomenga
Boal
Quirk

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 _____

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Under current law the real estate commission is made up of five members; three members are either licensed as real estate salespersons or brokers and two members are not licensed. This bill expands the licensed membership of the board from three to five, for a total board membership of seven.

HOUSE FILE 469

AN ACT

INCREASING THE MEMBERSHIP OF THE REAL ESTATE COMMISSION.

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

Section 1. Section 543B.8, unnumbered paragraph 1, Code 2005, is amended to read as follows:

A real estate commission is created within the professional licensing and regulation division of the department of commerce. The commission consists of three five members licensed under this chapter and two members not licensed under this chapter and who shall represent the general public. At least one of the licensed members shall be a licensed real estate salesperson, except that if the licensed real estate salesperson becomes a licensed real estate broker during a term of office, that person may complete the term, but is not eligible for reappointment on the commission as a licensed real estate salesperson. A licensed member shall be actively engaged in the real estate business and shall have been so engaged for five years preceding the appointment, the last two of which shall have been in Iowa. Professional associations or societies of real estate brokers or real estate salespersons may recommend the names of potential commission members to the governor. However, the governor is not bound by their recommendations. A commission member shall not be required to be a member of any professional association or society composed of real estate brokers or salespersons. Commission members shall be appointed by the governor subject to confirmation by the senate. Appointments shall be for three-year terms and shall commence and end as provided in section 69.19. A member shall serve no more than three terms

or nine years, whichever is less. No more than one member shall be appointed from a county. A commission member shall not hold any other elective or appointive state or federal office. Vacancies shall be filled for the unexpired term by appointment of the governor and are subject to senate confirmation. A majority of the commission members constitutes a quorum. The administrator of the professional licensing and regulation division shall hire and provide staff to assist the commission with implementing this chapter.

CHRISTOPHER C. RANTS
Speaker of the House

JOHN P. KIBBIE
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 469, Eighty-first General Assembly.

MARGARET THOMSON
Chief Clerk of the House

Approved 4/19, 2005

THOMAS J. VILSACK
Governor