

SENATE BILL NO. 230—SENATOR DENIS

FEBRUARY 18, 2019

JOINT SPONSORS: ASSEMBLYMEN SPIEGEL, EDWARDS,  
HARDY, ROBERTS AND TOLLES

Referred to Committee on Commerce and Labor

SUMMARY—Revises provisions relating to certain real estate professions. (BDR 54-311)

FISCAL NOTE: Effect on Local Government: No.  
Effect on the State: Yes.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to real estate; revising provisions relating to advertisements by real estate licensees; revising educational requirements which must be satisfied by an applicant for licensure as a real estate salesperson, real estate broker or real estate broker-salesperson; revising provisions governing the maintenance of certain licenses by real estate brokers and owner-developers; revising provisions governing certain regulations of the Real Estate Commission relating to the curriculum and subject matter of continuing education; and providing other matters properly relating thereto.

**Legislative Counsel’s Digest:**

1 Existing law sets forth certain requirements for advertisements by persons who  
2 are licensed by the Real Estate Division of the Department of Business and Industry  
3 (NRS 645.315) **Section 1** of this bill: (1) requires a licensee to include his or her  
4 license number in any such advertisement; and (2) requires the Real Estate  
5 Commission to establish by regulation the conditions and limitations under which a  
6 licensee may advertise under a nickname.

7 Existing law sets forth certain educational requirements which must be satisfied  
8 by an applicant for licensure as a real estate salesperson, real estate broker or real  
9 estate broker-salesperson. (NRS 645.343) **Section 3.5** of this bill: (1) establishes a  
10 minimum number of total hours of instruction which must be included in a course  
11 of instruction for licensure as a real estate salesperson; and (2) requires an applicant  
12 for licensure as a real estate salesperson, real estate broker or real estate



13 broker-salesperson to complete a minimum number of hours of instruction on  
14 agency and the preparation of contracts for real estate transactions. Under **section**  
15 **6.5** of this bill, these requirements apply only to a person who submits an  
16 application for licensure to the Real Estate Division on or after January 1, 2020.

17 Existing law requires a real estate broker or owner-developer to prominently  
18 display in his or her place of business the licenses of all real estate broker-  
19 salespersons and real estate salespersons who are associated with the broker or  
20 employed by the owner-developer, as applicable. (NRS 645.530) **Section 4** of this  
21 bill eliminates that requirement and instead requires the licenses to be kept in a  
22 secure manner and, upon request, made available for inspection by the public and  
23 the Real Estate Division during usual business hours.

24 Existing law authorizes the Real Estate Commission to establish by regulation a  
25 postlicensing curriculum of continuing education which must be completed by a  
26 person within the first year immediately after initial licensing of the person. (NRS  
27 645.575) **Section 5** of this bill requires the Commission to adopt regulations which  
28 require a minimum of 36 hours of continuing education, set forth certain subject  
29 matter in continuing education which must be completed by certain licensees and  
30 provide for an exemption from such subject matter requirements for a person who  
31 is 65 years of age or older and who has been licensed in good standing as a real  
32 estate broker, real estate broker-salesperson or real estate salesperson in this State  
33 for 30 years or more.

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THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN  
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 **Section 1.** NRS 645.315 is hereby amended to read as follows:

2 645.315 1. In any advertisement through which a licensee  
3 offers to perform services for which a license is required pursuant to  
4 this chapter, the licensee shall ~~§~~ *include his or her license number*  
5 *and:*

6 (a) If the licensee is a real estate broker, disclose the name of  
7 any brokerage under which the licensee does business; or

8 (b) If the licensee is a real estate broker-salesperson or real  
9 estate salesperson, disclose the name of the brokerage with whom  
10 the licensee is associated.

11 2. If a licensee is a real estate broker-salesperson or real estate  
12 salesperson, the licensee shall not advertise solely under the  
13 licensee's own name when acting in the capacity as a broker-  
14 salesperson or salesperson. All such advertising must be done under  
15 the direct supervision of and in the name of the brokerage with  
16 whom the licensee is associated.

17 *3. The Commission shall by regulation establish the*  
18 *conditions and limitations under which a licensee may advertise*  
19 *under a nickname.*

20 **Sec. 2.** (Deleted by amendment.)

21 **Sec. 3.** (Deleted by amendment.)



1       **Sec. 3.5.** NRS 645.343 is hereby amended to read as follows:

2       645.343 1. In addition to the other requirements contained in  
3 this chapter, an applicant for an original real estate salesperson's  
4 license must furnish proof satisfactory to the Real Estate Division  
5 that the applicant has successfully completed a course of instruction  
6 *which consists of not less than 120 hours of instruction* in the  
7 principles, practices, procedures, law and ethics of real estate, which  
8 course may be an extension or correspondence course offered by the  
9 Nevada System of Higher Education, by any other accredited  
10 college or university or by any other college or school approved by  
11 the Commission. The course of instruction must include ~~the~~ :

12       (a) *The* subject of disclosure of required information in real  
13 estate transactions, including instruction on methods a seller may  
14 use to obtain the required information ~~};~~;

15       (b) *Not less than 15 hours of instruction in the preparation of*  
16 *contracts in real estate transactions to the extent allowed in the*  
17 *capacity of a licensee; and*

18       (c) *Not less than 15 hours of instruction on agency.*

19       2. An applicant for an original real estate broker's or broker-  
20 salesperson's license must furnish proof satisfactory to the Real  
21 Estate Division that the applicant has successfully completed : ~~45~~  
22 ~~semester units or the equivalent in quarter units of college level~~  
23 ~~courses which include:}~~

24       (a) Three semester units or an equivalent number of quarter  
25 units in real estate law, including at least 18 classroom hours of the  
26 real estate law of Nevada ~~and another course of equal length~~ ;

27       (b) *Three semester units or an equivalent number of quarter*  
28 *units* in the principles of real estate;

29       ~~(b)}~~ (c) Nine semester units or the equivalent in quarter units of  
30 college level courses in real estate appraisal and business or  
31 economics;

32       ~~(c)}~~ (d) Nine semester units or the equivalent in quarter units of  
33 college level courses in real estate, business or economics; ~~and~~

34       ~~(d)}~~ (e) Three semester units or an equivalent number of quarter  
35 units in broker management ~~};~~;

36       (f) *Not less than one semester unit or an equivalent number of*  
37 *quarter units of instruction in the preparation of contracts in real*  
38 *estate transactions to the extent allowed in the capacity of a*  
39 *licensee; and*

40       (g) *Not less than one semester unit or an equivalent number of*  
41 *quarter units of instruction on agency.*

42       3. On and after January 1, 1986, in addition to other  
43 requirements contained in this chapter, an applicant for an original  
44 real estate broker's or broker-salesperson's license must furnish  
45 proof satisfactory to the Real Estate Division that the applicant has



1 completed 64 semester units or the equivalent in quarter units of  
2 college level courses. This educational requirement includes and is  
3 not in addition to the requirements listed in subsection 2.

4 4. For the purposes of this section, each person who holds a  
5 license as a real estate broker, broker-salesperson or salesperson, or  
6 an equivalent license, issued by a state or territory of the United  
7 States, or the District of Columbia, is entitled to receive credit for  
8 the equivalent of 16 semester units of college level courses for each  
9 2 years of active experience that, during the immediately preceding  
10 10 years, the person has obtained while he or she has held such a  
11 license, not to exceed 8 years of active experience. This credit may  
12 not be applied against the requirement in subsection 2 for three  
13 semester units or an equivalent number of quarter units in broker  
14 management or 18 classroom hours of the real estate law of Nevada.

15 5. An applicant for a broker's license pursuant to NRS 645.350  
16 must meet the educational prerequisites applicable on the date his or  
17 her application is received by the Real Estate Division.

18 6. As used in this section, "college level courses" are courses  
19 offered by any accredited college or university or by any other  
20 institution which meet the standards of education established by the  
21 Commission. The Commission may adopt regulations setting forth  
22 standards of education which are equivalent to the college level  
23 courses outlined in this subsection. The regulations may take into  
24 account the standard of instructors, the scope and content of the  
25 instruction, hours of instruction and such other criteria as the  
26 Commission requires.

27 **Sec. 4.** NRS 645.530 is hereby amended to read as follows:

28 645.530 1. The license of each real estate broker-salesperson  
29 or salesperson must be delivered or mailed to the real estate broker  
30 with whom the licensee is associated or to the owner-developer by  
31 whom the licensee is employed and must be kept in the custody and  
32 control of the broker or owner-developer.

33 2. Each real estate broker shall:

34 (a) Display his or her license conspicuously in the broker's place  
35 of business. If a real estate broker maintains more than one place of  
36 business within the State, an additional license must be issued to the  
37 broker for each branch office so maintained by the broker, and the  
38 additional license must be displayed conspicuously in each branch  
39 office.

40 (b) ~~[(Prominently display)]~~ *Maintain* in his or her place of  
41 business the licenses of all real estate broker-salespersons and  
42 salespersons associated with him or her therein or in connection  
43 therewith. *The licenses must be kept in a secure manner and, upon*  
44 *request, made available for inspection by the public and the*  
45 *Division during usual business hours.*



1 3. Each owner-developer shall ~~prominently display~~ *maintain*  
2 in his or her place of business the license of each real estate broker-  
3 salesperson and salesperson employed by him or her. *The licenses*  
4 *must be kept in a secure manner and, upon request, made*  
5 *available for inspection by the public and the Division during*  
6 *usual business hours.*

7 **Sec. 5.** NRS 645.575 is hereby amended to read as follows:

8 645.575 1. The Commission shall adopt regulations that  
9 prescribe the standards for the continuing education of persons  
10 licensed pursuant to this chapter.

11 2. The standards adopted pursuant to subsection 1 must  
12 ~~permit~~ :

13 (a) *Require a minimum of 36 hours of continuing education;*  
14 *and*

15 (b) *Permit* alternatives of subject material, taking cognizance of  
16 specialized areas of practice and alternatives in sources of programs  
17 considering availability in area and time. The standards must  
18 include, where qualified, generally accredited educational  
19 institutions, private vocational schools, educational programs and  
20 seminars of professional societies and organizations, other  
21 organized educational programs on technical subjects, or equivalent  
22 offerings. The Commission shall qualify only those educational  
23 courses that it determines address the appropriate subject matter and  
24 are given by an accredited university or community college. Subject  
25 to the provisions of this section, the Commission has exclusive  
26 authority to determine what is an appropriate subject matter for  
27 qualification as a continuing education course.

28 3. In addition to any other standards for continuing education  
29 that the Commission adopts by regulation pursuant to this section,  
30 the Commission ~~may~~ :

31 (a) *Shall, without limitation, adopt by regulation standards for*  
32 *continuing education that set forth certain mandatory subject*  
33 *matter which must be completed by every person who is licensed*  
34 *as a real estate broker, real estate broker-salesperson or real estate*  
35 *salesperson. Standards which are adopted pursuant to this section*  
36 *must authorize a person who is 65 years of age or older to apply to*  
37 *the Division for an exemption from any requirement to complete*  
38 *continuing education other than the mandatory subject matter*  
39 *which is set forth in regulations adopted pursuant to this*  
40 *paragraph if the person has been licensed in good standing as a*  
41 *real estate broker, real estate broker-salesperson or real estate*  
42 *salesperson in this State for 30 years or longer at the time of his or*  
43 *her application for an exemption.*

44 (b) *May*, without limitation, adopt by regulation standards for  
45 continuing education that:



1 ~~[(a)]~~ (1) Establish a postlicensing curriculum of continuing  
2 education which must be completed by a person within the first year  
3 immediately after *the* initial licensing of the person.

4 ~~[(b)]~~ (2) Require a person whose license as a real estate broker  
5 or real estate broker-salesperson has been placed on inactive status  
6 for any reason for 1 year or more or has been suspended or revoked  
7 to complete a course of instruction in broker management that is  
8 designed to fulfill the educational requirements for issuance of a  
9 license which are described in paragraph ~~[(d)]~~ (e) of subsection 2 of  
10 NRS 645.343, before the person's license is reissued or reinstated.

11 4. Except as otherwise provided in this subsection ~~[(j)]~~ *and*  
12 *regulations adopted pursuant to paragraph (a) of subsection 3*, the  
13 license of a real estate broker, broker-salesperson or salesperson  
14 must not be renewed or reinstated unless the Administrator finds  
15 that the applicant for the renewal license or for reinstatement to  
16 active status has completed the continuing education required by  
17 this chapter. Any amendment or repeal of a regulation does not  
18 operate to prevent an applicant from complying with this section for  
19 the next licensing period following the amendment or repeal.

20 **Sec. 6.** (Deleted by amendment.)

21 **Sec. 6.5.** The amendatory provisions of section 3.5 of this act  
22 apply only to an applicant who submits an application for licensure  
23 to the Real Estate Division of the Department of Business and  
24 Industry on or after January 1, 2020.

25 **Sec. 7.** 1. This section becomes effective upon passage and  
26 approval.

27 2. Section 3.5 of this act becomes effective:

28 (a) Upon passage and approval for the purposes of performing  
29 any preparatory administrative tasks and adopting any regulations  
30 necessary to carry out the provisions of this act; and

31 (b) On January 1, 2020, for all other purposes.

32 3. Sections 1, 4, 5 and 6.5 of this act become effective on  
33 July 1, 2019.





