

Act No. 342  
Public Acts of 2020  
Approved by the Governor  
December 30, 2020  
Filed with the Secretary of State  
December 30, 2020  
EFFECTIVE DATE: December 30, 2020

**STATE OF MICHIGAN  
100TH LEGISLATURE  
REGULAR SESSION OF 2020**

Introduced by Rep. Albert

## **ENROLLED HOUSE BILL No. 6313**

AN ACT to amend 1980 PA 299, entitled “An act to revise, consolidate, and classify the laws of this state regarding the regulation of certain occupations and to regulate certain persons and activities relative to those occupations; to create a board for each of those occupations; to establish the powers and duties of certain departments and agencies and the boards of each occupation; to provide for the promulgation of rules; to provide for certain fees; to provide for penalties and civil fines; to establish rights, relationships, and remedies of certain persons under certain circumstances; to provide immunity from certain civil liability for certain entities and certain related occupations under certain circumstances; to repeal certain parts of this act on a specific date; and to repeal certain acts and parts of acts,” by amending section 2504a (MCL 339.2504a), as amended by 2017 PA 56.

*The People of the State of Michigan enact:*

Sec. 2504a. (1) Subject to subsection (7), a licensee must successfully complete at least the following number of hours of eligible continuing education courses in each license cycle:

(a) Beginning with the license cycle after the effective date of the rules promulgated under subsection (2)(e), the number of hours determined by the department by rule.

(b) In each license cycle before the license cycle described in subdivision (a), 18 clock hours.

(2) All of the following apply to the continuing education requirement described in subsection (1):

(a) In completing the appropriate number of hours of eligible continuing education courses, a licensee must complete at least 2 hours of eligible continuing education courses in each year of a license cycle that involve law, rules, and court cases regarding real estate. The licensee may select any continuing education courses in his or her area of expertise to complete the remaining hours of eligible continuing education courses required under subsection (1) and may complete those hours at any time during the license cycle. For purposes of this subdivision only, the license cycle year beginning November 1, 2019 ends on December 31, 2020.

(b) At the time he or she attends an eligible continuing education course, a licensee shall do both of the following to confirm his or her identity:

(i) Present his or her pocket card, or provide his or her license identification number, from the department to the course provider.

(ii) Present his or her operator’s license or chauffeur’s license issued under the Michigan vehicle code, 1949 PA 300, MCL 257.1 to 257.923, an official state personal identification card issued under 1972 PA 222, MCL 28.291 to 28.300, or other government-issued photo identification to the course provider.

(c) If a licensee successfully completes an education course to obtain a professional designation, the number of hours of that course is counted toward the total number of hours of continuing education courses required in a license cycle.

(d) If a licensee successfully completes an eligible continuing education course, he or she does not earn additional hours toward the requirements of this section if he or she repeats that course.

(e) The department by rule shall do all of the following:

(i) Determine and provide for the publication of the number of hours of eligible continuing education courses a licensee must successfully complete in a license cycle, including the 2 hours of courses involving statutes, rules, and court cases required in each year of a license cycle under subdivision (a). The department shall determine the number of hours that are required in a license cycle by multiplying the number of years in the license cycle by 6.

(ii) Establish the standards for determining if a continuing education course is an eligible continuing education course for purposes of this section.

(3) An applicant for license renewal under section 2502a shall certify compliance with subsections (1) and (2) to the department. A licensee shall retain evidence acceptable to the department that demonstrates he or she has met the continuing education requirements under this section, for at least 4 years after the date of that certification, and shall produce the following information at the request of the department:

(a) The name and contact information of the continuing professional education program sponsor.

(b) The participant's name.

(c) The course title and course field of study.

(d) The date the course was offered or completed.

(e) If applicable, the location of the course.

(f) Verification by a representative of the continuing professional education program sponsor of the participant's completion of the course.

(g) The number of hours of instruction included in the course and a time statement from the continuing professional education program sponsor that states that continuing professional education credits for the course were granted on a 50-minute hour.

(4) An applicant for license renewal under section 2502a is subject to audit by the department for compliance with subsections (1) and (2), or (7), and may be required to submit the documentation described in subsection (3) to the department on request.

(5) If the department finds as the result of an audit under subsection (4) that an applicant for license renewal under section 2502a did not complete sufficient hours of eligible continuing education courses to renew his or her license, any penalty imposed by the department shall include a requirement that the licensee must complete both of the following, if applicable:

(a) A sufficient number of additional hours of continuing education to fulfill the requirements for the period determined by audit to be deficient.

(b) If the period determined by the audit to be deficient is at least 60 days, additional hours of continuing education in 1 of the following amounts:

(i) If the deficiency period is at least 60 days and less than 120 days, 4 hours.

(ii) If the deficiency period is 120 days or more, 8 hours.

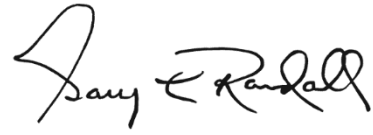
(6) Hours of additional continuing education required under subsection (5)(b) do not apply toward continuing education required in a license cycle. The department may waive the requirement for additional hours under subsection (5)(b) if the applicant demonstrates to the department that the additional hours would present an undue hardship on the applicant.

(7) If a real estate broker, associate real estate broker, or salesperson receives a license that is issued after the beginning of the current license cycle for that license, the department may prorate the number of hours of eligible continuing education that licensee is required to complete under subsections (1) and (2) for the year of the license cycle in which the license is issued.

(8) Course credits used to meet continuing education requirements under this section do not apply toward the real estate broker's license preclosure education requirements under section 2504, and course credits successfully completed under real estate broker's license preclosure education requirements under section 2504 do not apply toward the continuing education requirements of this section.

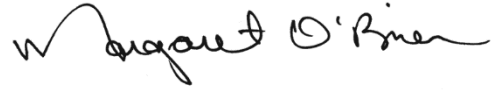
(9) As used in this section, "eligible continuing education course" means a continuing education course that meets the standards established by the department by rule under subsection (2)(e) and, if successfully completed by a licensee, is counted toward the licensee's continuing education requirements under this section.

This act is ordered to take immediate effect.



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Clerk of the House of Representatives



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Secretary of the Senate

Approved \_\_\_\_\_

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Governor