

SESSION OF 2009

**SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2068**

As Recommended by House Committee on  
Commerce and Labor

**Brief\***

HB 2068 would amend the Kansas Real Estate Brokers' and Salespersons' License Act to do the following:

- Revise the definition of "office" to include any permanent location where one or more licensees regularly conduct real estate business.
- Authorize the Kansas Real Estate Commission to designate a course of study to fulfill any specific education requirements.
- Allow the Commission to pursue disciplinary action for violations of the Kansas Real Estate Brokers' and Salespersons' License Act even if a licensee is not engaged in a real estate transaction.
- Authorize the Commission to expand the list of persons who could be subject to threats or are the victims of physical abuse or harassment from a licensee to include:
  - Commissioner or staff from the Commission;
  - Staff from the Office of Administrative Hearings;
  - Staff from any real estate trade association or multiple listing service; or
  - Any person from another business or industry whose services are requested or required as part of a real estate transaction.

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\*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

- Allow another broker to act as a supervising broker or branch broker when the license of an existing supervising broker or branch broker is either voluntarily or involuntarily deactivated. If another broker is not authorized to act as a supervising broker or branch broker, then all licensees supervised by the deactivated supervising broker or branch broker must be returned to the Commission within five days.

### **Background**

Sherry C. Diehl, Executive Director, Kansas Real Estate Commission, appeared in support of the bill. Luke Bell, Kansas Association of Realtors, Vice-President of Governmental Affairs, spoke on behalf of the bill.

There were no opponents to the bill.

The fiscal note indicates that the Commission estimates that it will receive one or two additional complaints involving allegations each year. The Commission indicates that expenses would not be incurred unless the Commission makes a finding that a violation had occurred and the licensee requests a hearing. The Commission estimates that one case would proceed to hearing each year, for a fiscal effect of approximately \$5,000 per fiscal year beginning in FY 2010. Any fiscal effect associated with HB 2068 is not reflected in *The FY 2010 Governor's Budget Report*.