

1 AN ACT relating to real estate license reciprocity.

2 ***Be it enacted by the General Assembly of the Commonwealth of Kentucky:***

3 ➔Section 1. KRS 324.115 is amended to read as follows:

4 (1) Except as provided in subsection (2) of this section, every broker licensed under
5 KRS 324.045 shall maintain a definite place of business in this state.

6 (2) A broker who is a nonresident shall not be required to maintain an active place of
7 business in this state if:

8 (a) He or she maintains a business place in the state of original licensure;

9 (b) The state of original licensure~~[, in accordance with its reciprocity agreement~~
10 ~~with the commission,]~~ does not require Kentucky licensees holding licenses in
11 that state to maintain an office in that state; and

12 (c) Paragraphs (a) and (b) of this subsection do not conflict with **a reciprocity**
13 **agreement**~~[the commission's agreement of reciprocity]~~ with the state of
14 original licensure.

15 ➔Section 2. KRS 324.141 is amended to read as follows:

16 (1) (a) An individual who holds an active real estate license issued by another
17 jurisdiction within the United States **that does not have a valid mutual**
18 **recognition, reciprocity, or cooperation agreement with the commission** may
19 apply for a Kentucky license by~~[first]~~:

20 1. Completing the application forms;

21 2. Passing **only** the state law portion of the licensing examination;~~[and]~~

22 3. **For a sales associate license, submitting proof of completion of a forty**
23 **(40) classroom hour reciprocal Kentucky state license law course; and**

24 **4. For a broker license, submitting proof of completion of a forty (40)**
25 **classroom hour reciprocal Kentucky state license law course and a**
26 **forty-eight (48) classroom hour broker management course**~~[Fulfilling~~

27 ~~all other pre-license qualifications as outlined in this chapter].~~

1 (b) The commission shall promulgate administrative regulations in accordance
2 with KRS Chapter 13A to establish the procedures for implementing
3 paragraph (a) of this subsection.

4 (2) All individuals who have held a real estate license in another jurisdiction, whether
5 the license is currently active or canceled, shall be required to furnish, as part of his
6 or her application for a Kentucky license, a certification of good standing, issued by
7 the jurisdiction. The document shall include the individual's license history and any
8 disciplinary information available from that jurisdiction.

9 (3) Every nonresident applicant shall file an irrevocable consent stating that legal
10 actions may be commenced against the applicant in the proper court of any county
11 of this state in which a cause of action may arise in which the plaintiff may reside,
12 by the service of any process or pleading authorized by the laws of this state on the
13 commission, the consent stipulating and agreeing that service of process or
14 pleadings on the commission shall be taken and held in all courts to be as valid and
15 binding as if service had been made upon the applicant in the State of Kentucky.
16 Any process or pleadings served upon the commission shall be by duplicate copies,
17 one (1) of which shall be filed in the office of the commission and the other
18 immediately forwarded by certified mail, return receipt requested, to the main
19 office of the applicant against which the process or pleadings are directed.

20 **(4) The education, examination, and application requirements under subsection**
21 **(1)(a) of this section shall apply to any applicant from another jurisdiction that**
22 **does not have a valid mutual recognition, reciprocity, or cooperation agreement**
23 **with the commission. Any education requirements approved by the commission**
24 **pursuant to an existing mutual recognition, reciprocity, or cooperation agreement**
25 **between the jurisdiction from which the applicant is seeking reciprocity and the**
26 **commission shall be sufficient to satisfy the education requirements under**
27 **subsection (1)(a) of this section through the expiration of the agreement. The**

1 commission may execute any future mutual recognition, reciprocity, or
2 cooperation agreements with the authorized agency of another state and shall
3 incorporate the educational standards in subsection (1)(a) of this section into the
4 agreement.
5 (5) All licensees under this section shall comply with all post-licensure and
6 continuing education requirements under KRS 324.085.