

AMENDED IN ASSEMBLY APRIL 19, 2006

AMENDED IN ASSEMBLY MARCH 27, 2006

CALIFORNIA LEGISLATURE—2005—06 REGULAR SESSION

ASSEMBLY BILL

No. 2429

Introduced by Assembly Member Negrete McLeod
(Principal coauthor: Assembly Member Matthews)
(Coauthors: Assembly Members Bermudez, Chavez, Shirley
Horton, Houston, Jones, and Koretz)
(Coauthor: Senator Cox)

February 23, 2006

~~An act to amend Section 10153.4 of, to amend, repeal, and add Sections 10156.6, 10156.7, and 10215 of, to add and repeal Section 10153.10 of, and to repeal Section 10154 of, the Business and Professions Code, and to amend Sections 10151, 10153.2, 10153.5, 10154, 10156.6, 10156.7, 10170.5, and 10215 of, to add Section 10151.1 to, and to repeal Sections 10153.3 and 10153.4 of, the Business and Professions Code, relating to real estate salespersons.~~

LEGISLATIVE COUNSEL'S DIGEST

AB 2429, as amended, Negrete McLeod. Real estate salespersons: licensure.

Existing law, the Real Estate Law, provides for the licensure and regulation of real estate salespersons by the Department of Real Estate. Under that law, an applicant for licensure as a real estate salesperson is required to submit to the Real Estate Commissioner evidence of the successful completion of specified courses in real estate either prior to issuance of the license or within 18 months after its issuance. ~~The Real Estate Law also exempts a salesperson from~~

completing specified continuing education courses for the 1st renewal of his or her license.

This bill would, for persons who apply for licensure on or after ~~January~~ *October* 1, 2007, delete the provisions from the Real Estate Law that allow an applicant to submit evidence of his or her completion of the real estate courses within 18 months after issuance of the license. ~~The bill would also revise the continuing education courses a salesperson is required to complete for the 1st license renewal period.~~

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

1 ~~SECTION 1. Section 10153.4 of the Business and~~
 2 ~~Professions Code is amended to read:~~
 3 ~~10153.4. (a) Every person who is required to comply with~~
 4 ~~Section 10153.3 to obtain an original real estate salesperson~~
 5 ~~license shall, prior to the issuance of the license, submit~~
 6 ~~evidence, satisfactory to the commissioner, of successful~~
 7 ~~completion, at an accredited institution, of a course in real estate~~
 8 ~~practices and one of the courses listed in Section 10153.2, other~~
 9 ~~than real estate principles, advanced legal aspects of real estate,~~
 10 ~~advanced real estate finance, or advanced real estate appraisal.~~
 11 ~~(b) A salesperson who qualifies for a license pursuant to this~~
 12 ~~section shall not be required for the first license renewal~~
 13 ~~thereafter to complete the continuing education pursuant to~~
 14 ~~Article 2.5 (commencing with Section 10170), except for the~~
 15 ~~courses specified in paragraphs (1) to (5), inclusive, of~~
 16 ~~subdivision (a) of Section 10170.5.~~
 17 ~~(c) The original license issued to a salesperson shall clearly set~~
 18 ~~forth the conditions of the license and shall be accompanied by a~~
 19 ~~notice of the provisions of this section and of any regulations~~
 20 ~~adopted by the commissioner to implement this section and~~
 21 ~~Section 10153.10.~~
 22 ~~(d) The commissioner shall waive the requirements of this~~
 23 ~~section for any person who presents evidence of admission to the~~
 24 ~~State Bar of California, and the commissioner shall waive the~~
 25 ~~requirement for any course for which an applicant has completed~~

1 ~~an equivalent course of study as determined under Section~~
2 ~~10153.5.~~

3 ~~SEC. 2. Section 10153.10 is added to the Business and~~
4 ~~Professions Code, to read:~~

5 ~~10153.10. (a) A person who was issued a real estate~~
6 ~~salesperson license prior to January 1, 2007, and did not submit~~
7 ~~evidence prior to issuance of the license of the completion of the~~
8 ~~educational requirements described in subdivision (a) of Section~~
9 ~~10153.4, shall submit this evidence to the commissioner within~~
10 ~~18 months of the date of issuance of his or her license. The real~~
11 ~~estate salesperson license shall be automatically suspended~~
12 ~~effective 18 months after the date of its issuance if the licensee~~
13 ~~has failed to comply with this requirement. The suspension shall~~
14 ~~not be lifted until the suspended licensee has submitted the~~
15 ~~required evidence of course completion and the commissioner~~
16 ~~has given written notice to the licensee of the lifting of the~~
17 ~~suspension.~~

18 ~~(b) A person who has obtained a license as described in this~~
19 ~~section and has not submitted evidence of completion of the~~
20 ~~educational requirements shall not be entitled to a late renewal of~~
21 ~~the license under Section 10201.~~

22 ~~(c) This section shall remain in effect only until January 1,~~
23 ~~2009, and as of that date is repealed, unless a later enacted~~
24 ~~statute, then is enacted before January 1, 2009, deletes or extends~~
25 ~~that date.~~

26 ~~SEC. 3. Section 10154 of the Business and Professions Code~~
27 ~~is repealed.~~

28 ~~SECTION 1. Section 10151 of the Business and Professions~~
29 ~~Code is amended to read:~~

30 ~~10151. (a) (1) Application for the real estate salesperson~~
31 ~~license examination shall be made in writing to the~~
32 ~~commissioner. The commissioner may prescribe the format and~~
33 ~~content of the salesperson examination application. The~~
34 ~~application for the salesperson examination shall be accompanied~~
35 ~~by the real estate salesperson license examination fee.~~

36 ~~(2) A person whose application is received by the~~
37 ~~commissioner on or after October 1, 2007, shall submit evidence~~
38 ~~or certification, satisfactory to the commissioner, of successful~~
39 ~~completion at an accredited institution of a three-semester unit~~
40 ~~course, or the quarter equivalent thereof, in real estate~~

1 *principles, real estate practice, and one additional course set*
2 *forth in Section 10153.2, other than advanced legal aspects of*
3 *real estate, advanced real estate finance, or advanced real estate*
4 *appraisal, in order to take the examination for a real estate*
5 *salesperson license.*

6 (3) *The commissioner shall waive the requirements of*
7 *paragraph (2) for an applicant who is a member of the State Bar*
8 *of California, or who has completed an equivalent course of*
9 *study, as determined under Section 10153.5, or who has qualified*
10 *to take the examination for an original real estate broker license*
11 *by satisfying the requirements of Section 10153.2.*

12 (b) *Persons who have been notified by the commissioner that*
13 *they passed the real estate salesperson license examination may*
14 *apply for a real estate salesperson license. A person applying for*
15 *the salesperson examination may also apply for a real estate*
16 *salesperson license. However, a license shall not be issued until*
17 *the applicant passes the real estate salesperson license*
18 *examination. If there is any change to the information contained*
19 *in a real estate salesperson license application after the*
20 *application has been submitted and before the license has been*
21 *issued, the commissioner may require the applicant to submit a*
22 *supplement to the application listing the changed information.*

23 (c) *Application for the real estate salesperson license*
24 *examination shall be made in writing to the commissioner. The*
25 *commissioner may prescribe the format and content of the*
26 *salesperson license application. The application for the real estate*
27 *salesperson license shall be accompanied by the appropriate fee.*

28 *SEC. 2. Section 10151.1 is added to the Business and*
29 *Professions Code, to read:*

30 *10151.1. (a) A person whose application for the real estate*
31 *salesperson license examination is received by the commissioner*
32 *prior to October 1, 2007, is not required to satisfy the*
33 *requirements of paragraph (2) of subdivision (a) of Section*
34 *10151 in order to take the examination. The applicant shall,*
35 *instead, submit evidence or certification, satisfactory to the*
36 *commissioner, of enrollment in, or successful completion at, an*
37 *accredited institution, of a three-semester unit course, or the*
38 *quarter equivalent thereof, in real estate principles in order to*
39 *take the examination. Evidence of enrollment satisfactory to the*
40 *commissioner may include a statement from the applicant made*

1 *under penalty of perjury. The applicant shall comply with all*
2 *other provisions of Section 10151.*

3 *(b) If an applicant under this section does not take the real*
4 *estate salesperson license examination within two years from the*
5 *date of the commissioner's receipt of his or her application, the*
6 *applicant shall satisfy the requirements of paragraph (2) of*
7 *subdivision (a) of Section 10151 in order to take the examination.*

8 *(c) If an applicant under this section fails the real estate*
9 *salesperson license examination and is scheduled to retake the*
10 *examination on or after October 1, 2007, he or she shall satisfy*
11 *the requirements of paragraph (2) of subdivision (a) of Section*
12 *10151 in order to take the examination.*

13 *(d) An applicant under this section who has passed the real*
14 *estate salesperson license examination shall, prior to the*
15 *issuance of the license, submit evidence, satisfactory to the*
16 *commissioner, of successful completion, at an accredited*
17 *institution, of a three-semester unit course, or the quarter*
18 *equivalent thereof, in real estate principles. Prior to the issuance*
19 *of the license, or within 18 months after issuance, an applicant*
20 *under this section shall submit evidence, satisfactory to the*
21 *commissioner, of successful completion, at an accredited*
22 *institution, of a course in real estate practices and one of the*
23 *courses listed in Section 10153.2, other than real estate*
24 *principles, advanced legal aspects of real estate, advanced real*
25 *estate finance, or advanced real estate appraisal.*

26 *(e) A salesperson who qualifies for a license pursuant to this*
27 *section shall not be required for the first license renewal*
28 *thereafter to complete the continuing education pursuant to*
29 *Article 2.5 (commencing with Section 10170), except for the*
30 *courses specified in paragraphs (1) to (5), inclusive, of*
31 *subdivision (a) of Section 10170.5.*

32 *(f) The salesperson license issued to an applicant under this*
33 *section shall be automatically suspended effective 18 months*
34 *after issuance if the licensee has failed to satisfy subdivision (d).*
35 *The suspension shall not be lifted until the suspended licensee*
36 *has submitted the required evidence of course completion and the*
37 *commissioner has given written notice to the licensee of the*
38 *lifting of the suspension.*

39 *(g) The original license issued to a salesperson shall clearly*
40 *set forth the conditions of the license and shall be accompanied*

1 by a notice of the provisions of this section and of any
2 regulations adopted by the commissioner to implement this
3 section.

4 (h) The commissioner shall waive the requirements of this
5 section for any person who presents evidence of admission to the
6 State Bar of California, and the commissioner shall waive the
7 requirement for any course for which an applicant has completed
8 an equivalent course of study as determined under Section
9 10153.5.

10 SEC. 3. Section 10153.2 of the Business and Professions
11 Code is amended to read:

12 10153.2. (a) An applicant to take the examination for an
13 original real estate broker license shall also submit evidence,
14 satisfactory to the commissioner, of successful completion, at an
15 accredited institution, of:

16 (1) A three-semester unit course, or the quarter equivalent
17 thereof, in each of the following:

18 (A) Real estate practice.

19 (B) Legal aspects of real estate.

20 (C) Real estate appraisal.

21 (D) Real estate financing.

22 (E) Real estate economics or accounting.

23 (2) A three-semester unit course, or the quarter equivalent
24 thereof, in three of the following:

25 (A) Advanced legal aspects of real estate.

26 (B) Advanced real estate finance.

27 (C) Advanced real estate appraisal.

28 (D) Business law.

29 (E) Escrows.

30 (F) Real estate principles.

31 (G) Property management.

32 (H) Real estate office administration.

33 (I) Mortgage loan brokering and lending.

34 (J) Computer applications in real estate.

35 (K) On and after July 1, 2004, California law that relates to
36 common interest developments, including, but not limited to,
37 topics addressed in the Davis-Stirling Common Interest
38 Development Act (Title 6 (commencing with Section 1350) of
39 Part 4 of Division 2 of the Civil Code).

1 (b) The commissioner shall waive the requirements of this
2 section for an applicant who is a member of the State Bar of
3 California and shall waive the requirements for which an
4 applicant has successfully completed an equivalent course of
5 study as determined under Section 10153.5.

6 (c) The commissioner shall extend credit under this section for
7 any course completed to satisfy requirements of Section ~~10153.3~~
8 ~~or 10153.4~~ 10151 or 10151.1.

9 *SEC. 4. Section 10153.3 of the Business and Professions*
10 *Code is repealed.*

11 ~~10153.3. (a) In order to take an examination for a real estate~~
12 ~~salesperson license, an applicant shall submit evidence or~~
13 ~~certification, satisfactory to the commissioner, of enrollment in,~~
14 ~~or successful completion at, an accredited institution, of a~~
15 ~~three-semester unit course, or the quarter equivalent thereof, in~~
16 ~~real estate principles. Evidence of enrollment satisfactory to the~~
17 ~~commissioner may include a statement from the applicant made~~
18 ~~under penalty of perjury.~~

19 ~~(b) An applicant for an original real estate salesperson license,~~
20 ~~including an applicant who has filed a salesperson license~~
21 ~~application contemporaneously with an application to take an~~
22 ~~examination for a real estate salesperson license, shall, prior to~~
23 ~~the issuance of the license, submit evidence satisfactory to the~~
24 ~~commissioner of successful completion, at an accredited~~
25 ~~institution, of a three-semester unit course, or the quarter~~
26 ~~equivalent thereof, in real estate principles.~~

27 ~~(c) The commissioner shall waive the requirements of this~~
28 ~~section for an applicant who is a member of the State Bar of~~
29 ~~California, or who has completed an equivalent course of study,~~
30 ~~as determined under Section 10153.5, or who has qualified to~~
31 ~~take the examination for an original real estate broker license by~~
32 ~~satisfying the requirements of Section 10153.2.~~

33 ~~(d) This section shall become operative on July 1, 2004.~~

34 *SEC. 5. Section 10153.4 of the Business and Professions*
35 *Code is repealed.*

36 ~~10153.4. (a) Every person who is required to comply with~~
37 ~~Section 10153.3 to obtain an original real estate salesperson~~
38 ~~license shall, prior to the issuance of the license, or within 18~~
39 ~~months after issuance, submit evidence, satisfactory to the~~
40 ~~commissioner, of successful completion, at an accredited~~

1 institution, of a course in real estate practices and one of the
2 courses listed in Section 10153.2, other than real estate
3 principles, advanced legal aspects of real estate, advanced real
4 estate finance, or advanced real estate appraisal.

5 (b) A salesperson who qualifies for a license pursuant to this
6 section shall not be required for the first license renewal
7 thereafter to complete the continuing education pursuant to
8 Article 2.5 (commencing with Section 10170), except for the
9 courses specified in paragraphs (1) to (4), inclusive, of
10 subdivision (a) of Section 10170.5.

11 (c) The salesperson license issued to an applicant who has
12 satisfied only the requirements of Section 10153.3 at the time of
13 issuance shall be automatically suspended effective 18 months
14 after issuance if the licensee has failed to satisfy subdivision (a).
15 The suspension shall not be lifted until the suspended licensee
16 has submitted the required evidence of course completion and the
17 commissioner has given written notice to the licensee of the
18 lifting of the suspension.

19 (d) The original license issued to a salesperson shall clearly set
20 forth the conditions of the license and shall be accompanied by a
21 notice of the provisions of this section and of any regulations
22 adopted by the commissioner to implement this section.

23 (e) The commissioner shall waive the requirements of this
24 section for any person who presents evidence of admission to the
25 State Bar of California, and the commissioner shall waive the
26 requirement for any course for which an applicant has completed
27 an equivalent course of study as determined under Section
28 10153.5.

29 (f) This section shall become operative July 1, 2003.

30 *SEC. 6. Section 10153.5 of the Business and Professions*
31 *Code is amended to read:*

32 10153.5. As used in Sections 10151, 10151.1, and 10153.2,
33 10153.3, and 10153.4, "an equivalent course of study" includes
34 courses at a private vocational school which have been found by
35 the commissioner, upon consideration of an application for
36 approval, to be equivalent in quality to the real estate courses
37 offered by the colleges and universities accredited by the
38 Western Association of Schools and Colleges.

1 As used in Sections *10151, 10151.1, and 10153.2, 10153.3,*
2 ~~and 10153.4~~, “accredited institution” shall mean a college or
3 university which either:

4 (a) Is accredited by the Western Association of Schools and
5 Colleges, or by any other regional accrediting agency recognized
6 by the United States Department of Education.

7 (b) In the judgment of the commissioner, has a real estate
8 curriculum equivalent in quality to that of the institutions
9 accredited pursuant to subdivision (a).

10 *SEC. 7. Section 10154 of the Business and Professions Code*
11 *is amended to read:*

12 10154. A person who has obtained a conditional license
13 pursuant to Section ~~10153.4~~ *10151.1*, but has not satisfied the
14 requirements for an unqualified license under ~~Section 10153.4~~
15 *that section*, shall not be entitled to a late renewal of the license
16 under Section 10201, and shall not be entitled to the issuance of
17 another conditional license until four years after the date of the
18 issuance of the preceding conditional license.

19 ~~SEC. 4.~~

20 *SEC. 8. Section 10156.6 of the Business and Professions*
21 *Code is amended to read:*

22 10156.6. ~~(a)~~—A restricted license issued pursuant to Section
23 10156.5 as the commissioner in his or her discretion finds
24 advisable in the public interest may be restricted:

25 ~~(1)~~

26 (a) By term.

27 ~~(2)~~

28 (b) To employment by a particular real estate broker, if a
29 salesperson.

30 ~~(3)~~

31 (c) By conditions to be observed in the exercise of the
32 privileges granted.

33 ~~(4)~~

34 (d) If a salesperson licensee or applicant described in Section
35 ~~10153.10~~ *10151.1* has not complied with ~~Section 10153.4~~
36 *subdivision (d) of Section 10151.1* within 18 months after
37 issuance of the license.

38 ~~(b) This section shall remain in effect only until January 1,~~
39 ~~2009, and as of that date is repealed, unless a later enacted~~

1 ~~statute, that is enacted before January 1, 2009, deletes or extends~~
2 ~~that date.~~

3 ~~SEC. 5. Section 10156.6 is added to the Business and~~
4 ~~Professions Code, to read:~~

5 ~~10156.6. (a) A restricted license issued pursuant to Section~~
6 ~~10156.5 as the commissioner in his or her discretion finds~~
7 ~~advisable in the public interest may be restricted:~~

8 ~~(1) By term.~~

9 ~~(2) To employment by a particular real estate broker, if a~~
10 ~~salesperson.~~

11 ~~(3) By conditions to be observed in the exercise of the~~
12 ~~privileges granted.~~

13 ~~(b) This section shall become operative on January 1, 2009.~~

14 ~~SEC. 6.~~

15 ~~SEC. 9. Section 10156.7 of the Business and Professions~~
16 ~~Code is amended to read:~~

17 ~~10156.7. (a) A restricted license issued pursuant to Section~~
18 ~~10156.5 does not confer any property right in the privileges to be~~
19 ~~exercised thereunder, and the holder of a restricted license does~~
20 ~~not have the right to the renewal of the license.~~

21 ~~(b) Except as provided in subdivision (c), the commissioner~~
22 ~~may, without hearing, issue an order suspending the licensee's~~
23 ~~right to further exercise any privileges granted under a restricted~~
24 ~~license pending final determination made after formal hearing.~~

25 ~~(c) A restricted salesperson license containing a condition~~
26 ~~requiring compliance with Section ~~10153.4~~ 10151.1 shall be~~
27 ~~automatically suspended upon the licensee's failure to comply~~
28 ~~with the condition. The suspension shall not be lifted until the~~
29 ~~suspended licensee has submitted the required evidence of course~~
30 ~~completion and the commissioner has given written notice to the~~
31 ~~licensee of the lifting of the suspension.~~

32 ~~(d) This section shall remain in effect only until January 1,~~
33 ~~2009, and as of that date is repealed, unless a later enacted~~
34 ~~statute, that is enacted before January 1, 2009, deletes or extends~~
35 ~~that date.~~

36 ~~SEC. 7. Section 10156.7 is added to the Business and~~
37 ~~Professions Code, to read:~~

38 ~~10156.7. (a) A restricted license issued pursuant to Section~~
39 ~~10156.5 does not confer any property right in the privileges to be~~

1 exercised thereunder, and the holder of a restricted license does
2 not have the right to the renewal of the license.

3 ~~(b) The commissioner may, without hearing, issue an order
4 suspending the licensee's right to further exercise any privileges
5 granted under a restricted license pending final determination
6 made after formal hearing.~~

7 ~~(e) This section shall become operative on January 1, 2009.~~

8 *SEC. 10. Section 10170.5 of the Business and Professions*
9 *Code is amended to read:*

10 10170.5. (a) Except as otherwise provided in Sections
11 ~~10153.4~~ 10151.1 and 10170.8, no real estate license shall be
12 renewed unless the commissioner finds that the applicant for
13 license renewal has, during the four-year period preceding the
14 renewal application, successfully completed the 45-clock hours
15 of education provided for in Section 10170.4, including all of the
16 following:

17 (1) A three-hour course in ethics, professional conduct, and
18 legal aspects of real estate, which shall include, but not be limited
19 to, relevant legislation, regulations, articles, reports, studies,
20 court decisions, treatises, and information of current interest.

21 (2) A three-hour course in agency relationships and duties in a
22 real estate brokerage practice, including instruction in the
23 disclosures to be made and the confidences to be kept in the
24 various agency relationships between licensees and the parties to
25 real estate transactions.

26 (3) A three-hour course in trust fund accounting and handling.

27 (4) A three-hour course in fair housing.

28 (5) A three-hour course in risk management that shall include,
29 but need not be limited to, principles, practices, and procedures
30 calculated to avoid errors and omissions in the practice of real
31 estate licensed activities.

32 (6) Not less than 18-clock hours of courses or programs
33 related to consumer protection, and designated by the
34 commissioner as satisfying this purpose in his or her approval of
35 the offering of these courses or programs, which shall include,
36 but not be limited to, forms of real estate financing relevant to
37 serving consumers in the marketplace, land use regulation and
38 control, pertinent consumer disclosures, agency relationships,
39 capital formation for real estate development, fair practices in
40 real estate, appraisal and valuation techniques, landlord-tenant

1 relationships, energy conservation, environmental regulation and
2 consideration, taxation as it relates to consumer decisions in real
3 estate transactions, probate and similar disposition of real
4 property, governmental programs such as revenue bond
5 activities, redevelopment, and related programs, business
6 opportunities, mineral, oil, and gas conveyancing, and California
7 law that relates to managing community associations that own,
8 operate, and maintain property within common interest
9 developments, including, but not limited to, management,
10 maintenance, and financial matters addressed in the
11 Davis-Stirling Common Interest Development Act.

12 (7) Other courses and programs that will enable a licensee to
13 achieve a high level of competence in serving the objectives of
14 consumers who may engage the services of licensees to secure
15 the transfer, financing, or similar objectives with respect to real
16 property, including organizational and management techniques
17 that will significantly contribute to this goal.

18 (b) Except as otherwise provided in Section 10170.8, no real
19 estate license shall be renewed for a licensee who already has
20 renewed under subdivision (a), unless the commissioner finds
21 that the applicant for license renewal has, during the four-year
22 period preceding the renewal application, successfully completed
23 the 45-clock hours of education provided for in Section 10170.4,
24 including an eight-hour update survey course that covers the
25 subject areas specified in paragraphs (1) to (5), inclusive, of
26 subdivision (a).

27 (c) Any denial of a license pursuant to this section shall be
28 subject to Section 10100.

29 (d) For purposes of this section, “successful completion” of a
30 course described in paragraphs (1) to (5), inclusive, of
31 subdivision (a) means the passing of a final examination.

32 ~~SEC. 8:~~

33 *SEC. 11.* Section 10215 of the Business and Professions Code
34 is amended to read:

35 10215. (a) The fee for a real estate salesperson license shall
36 not exceed two hundred forty-five dollars (\$245), except that for
37 an applicant qualifying pursuant to Section ~~10153.10~~ 10151.1
38 who has not satisfied all of the educational requirements prior to
39 issuance of the license, the fee shall not exceed two hundred
40 seventy-five dollars (\$275).

1 In the case of an original applicant, the fee is payable upon
2 filing the real estate salesperson license application.

3 (b) If an applicant fails to pass the real estate salesperson
4 license examination within two years from the date of filing his
5 or her salesperson license application, his or her salesperson
6 license application shall lapse and no further proceedings thereon
7 shall be taken.

8 (c) This section shall remain in effect unless it is superseded
9 pursuant to Section 10226 or subdivision (a) of Section 10226.5,
10 whichever is applicable.

11 ~~(d) This section shall remain in effect only until January 1,
12 2009, and as of that date is repealed, unless a later enacted
13 statute, that is enacted before January 1, 2009, deletes or extends
14 that date.~~

15 ~~SEC. 9. Section 10215 is added to the Business and
16 Professions Code, to read:~~

17 ~~10215. (a) The fee for a real estate salesperson license shall
18 not exceed two hundred forty-five dollars (\$245).~~

19 ~~In the case of an original applicant, the fee is payable upon
20 filing the real estate salesperson license application.~~

21 ~~(b) If an applicant fails to pass the real estate salesperson
22 license examination within two years from the date of filing his
23 or her salesperson license application, his or her salesperson
24 license application shall lapse and no further proceedings thereon
25 shall be taken.~~

26 ~~(c) This section shall remain in effect unless it is superseded
27 pursuant to Section 10226 or subdivision (a) of Section 10226.5,
28 whichever is applicable.~~

29 ~~(d) This section shall become operative on January 1, 2009.~~