

CHAPTER 90--H.F.No. 3252

An act relating to commerce; requiring qualified active duty military members and veterans and spouses to receive a licensing experience waiver for the broker's examination; amending Minnesota Statutes 2014, section 82.59, subdivision 5.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 2014, section 82.59, subdivision 5, is amended to read:

Subd. 5. **Waivers.** The commissioner may grant a waiver of the real estate licensing experience requirement for the broker's examination to a qualified applicant for a waiver.

(a) A qualified applicant for a waiver is an individual who:

- (1) has a degree in real estate from an accredited college or university;
- (2) is a licensed practicing attorney whose practice involves real estate law; or
- (3) is a public officer whose official duties involve real estate law or real estate transactions.

(b) The commissioner shall grant a waiver of the real estate licensing experience requirement for the broker's examination to a qualified individual whose license lapsed or became ineffective and who applies for the waiver. The qualified individual shall not be required to pay a fee or charge for applying for the waiver or retaking the examination. The qualified individual may retake the examination under the terms of the waiver. For purposes of this paragraph, "qualified individual" means: (1) an active duty military member on the date of license cancellation or the date by which a timely renewal must have been made; (2) the spouse of an active duty military member on the date of license cancellation or the date by which a timely renewal must have been made; or (3) a veteran or spouse of a veteran who has left service in the two years preceding the date of license cancellation or the date by which a timely renewal must have been made, and has confirmation of an honorable or general discharge status.

If a waiver is granted under this paragraph, the commissioner shall not assess or retain any fine or penalty arising from the related licensing action.

~~(b)~~ (c) A request for a waiver shall be submitted to the commissioner in writing on a form prescribed by the commissioner and be accompanied by documents necessary to evidence qualification as set forth in paragraph (a).

~~(c)~~ (d) The waiver will lapse if the applicant fails to successfully complete the broker's examination within one year from the date of the granting of the waiver.

EFFECTIVE DATE; APPLICATION. This section is effective the day following final enactment and applies to a qualified individual whose license was canceled before, on, or after that date.

Presented to the governor April 27, 2016

Signed by the governor April 29, 2016, 3:11 p.m.