**South Carolina General Assembly**

124th Session, 2021-2022

**H. 3471**

**STATUS INFORMATION**

General Bill

Sponsors: Rep. Pendarvis

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Introduced in the House on January 12, 2021

Currently residing in the House Committee on **Labor, Commerce and Industry**

Summary: Real estate brokers and property managers, continuing education requirement

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

12/16/2020 House Prefiled

12/16/2020 House Referred to Committee on **Labor, Commerce and Industry**

1/12/2021 House Introduced and read first time ([House Journal‑page 203](file:///h:\hj\20210112.docx))

1/12/2021 House Referred to Committee on **Labor, Commerce and Industry** ([House Journal‑page 203](file:///h:\hj\20210112.docx))

View the latest [legislative information](http://www.scstatehouse.gov/billsearch.php?billnumbers=3471&session=124&summary=B) at the website

**VERSIONS OF THIS BILL**

[12/16/2020](file:///p:\pprever\2021-22\3471_20201216.docx)

**A** **BILL**

TO AMEND SECTION 40‑57‑340, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO LICENSE RENEWAL REQUIREMENTS FOR REAL ESTATE BROKERS, SALESPERSONS, AND BROKERS‑IN‑CHARGE, SO AS TO PROVIDE CONTINUING EDUCATION REQUIREMENTS MUST INCLUDE AT LEAST ONE HOUR EXCLUSIVELY DEVOTED TO THE TOPIC OF FAIR HOUSING AND DISCRIMINATION; TO AMEND SECTION 40‑57‑510, RELATING TO LICENSE RENEWAL REQUIREMENTS FOR PROPERTY MANAGERS AND PROPERTY MANAGERS‑IN‑CHARGE, SO AS TO REQUIRE ONE HOUR OF CONTINUING EDUCATION EXCLUSIVELY DEVOTED TO THE TOPIC OF FAIR HOUSING AND DISCRIMINATION; AND TO MAKE THE PROVISIONS OF THIS ACT EFFECTIVE AFTER THE CURRENT RENEWAL CYCLE ENDS.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 40‑57‑340(A) and (H) of the 1976 Code is amended to read:

“(A)(1) As a condition of active license renewal:

~~(1)~~(a) A broker or salesperson shall provide proof of satisfactory completion biennially of ten hours of continuing education in courses. The ten hours must include a minimum of four hours of instruction in mandated topics.

~~(2)~~(b) A broker‑in‑charge shall provide proof of satisfactory completion biennially of ten hours of continuing education in courses approved by the commission. The ten hours must include a minimum of four hours of instruction in mandated topics for a broker or salesperson license and four hours of continuing education must be in advanced real estate topics designed for brokers‑in‑charge.

~~(3)~~(c) A license must be renewed biennially coinciding with the licensees’ continuing education deadline. Approximately one‑half of the licensees must renew in even‑numbered years and the remainder in odd‑numbered years.

(2) One hour of continuing education required pursuant to item (1)(a) and (b) exclusively must be devoted to the topic of fair housing and discrimination in the sale or rental of real property or an interest in real property that must include, but is not limited to, the examination of:

(a) the legacy of segregation, unequal treatment, and historic lack of access to opportunity in housing;

(b) unequal access to amenities and resources on the basis of race, disability, and other protected characteristics;

(c) federal, state, and local fair housing laws; and

(d) anti‑bias training.

(H) Notwithstanding another provision of law, the commission shall qualify for continuing education credit courses that are related to real estate technology, professional development, ~~and~~ business ethics, and fair housing and discrimination. A continuing education credit course on the topic of fair housing and discrimination must comply with the requirements of subsection (A)(2).”

SECTION 2. Section 40‑57‑510(F) and (G) of the 1976 Code is amended to read:

“(F) As a condition for and before applying to the commission for licensure renewal, a property manager or property manager‑in‑charge shall:

(1) submit to a criminal background check upon every third renewal as required for initial applicants pursuant to Section 40‑57‑115; and

(2) complete biennially one hour of continuing education devoted exclusively to the topic of fair housing and discrimination in the rental of real property, which must include the topics in Section 40‑57‑340(A)(2), and which the licensee shall document to the commission every third renewal with his application for renewal.

(G) A property manager or property manager‑in‑charge who fails to submit to criminal background check requirements or the continuing education requirement of this section by the date of license renewal may renew by submitting applicable fees but immediately must be placed on inactive status. The license may be reactivated upon proof of submission to a criminal background check, completion of the continuing education requirement, or both, as appropriate to remedy the deficiency that served as the basis for placing the licensee on inactive status.

SECTION 3. This act takes effect on July 1, 2023, and with respect to license renewals is only applicable to renewals initially due after June 30, 2023.

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