

2020 Kansas Statutes

58-3046a. Licensure; educational requirements. (a) Except as provided in K.S.A. 58-3040, and amendments thereto, any person who applies for an original license in this state as a salesperson shall submit evidence, satisfactory to the commission, of attendance of a principles of real estate course, of not less than 30 hours of instruction, approved by the commission and completed within the 12 months immediately preceding the receipt by the commission of the application for salesperson's license. The commission may require the evidence to be furnished to the commission with the original application for license or it may require the applicant to furnish the evidence to the testing service designated by the commission as a prerequisite to taking the examination required by K.S.A. 58-3039, and amendments thereto. If the evidence is furnished to the testing service, the instruction shall have been completed within 12 months immediately preceding the date of the examination.

(b) Except as provided in K.S.A. 58-3040, and amendments thereto, any person who applies for an original license in this state as a broker shall submit evidence, satisfactory to the commission, of attendance of a Kansas real estate fundamentals course, of not less than 30 and no more than 45 hours of instruction, approved by the commission and received within the 12 months immediately preceding the filing of application for broker's license. Such hours shall be in addition to any hours of instruction used to meet the requirements of subsection (c), (d), (e) or (f). The commission may require the evidence to be furnished to the commission with the original application for license, or it may require the applicant to furnish the evidence to the testing service designated by the commission as a prerequisite to taking the examination provided in K.S.A. 58-3039, and amendments thereto. If the evidence is furnished to the testing service, the instruction shall have been completed within 12 months immediately preceding the date of the examination.

(c) Any person who applies for an original license in this state as a salesperson shall submit evidence, satisfactory to the commission, of attendance of a Kansas real estate practice course, of not less than 30 hours of instruction, approved by the commission and completed within the six months immediately preceding the receipt by the commission of the application for licensure.

(d) Any person who applies for an original license in this state as a broker on or after January 1, 2020, shall submit evidence, satisfactory to the commission, of attendance of a Kansas real estate management course, of not less than 30 and no more than 45 hours of instruction, approved by the commission and completed within the six months immediately preceding the receipt by the commission of the application for licensure. The hours shall be in addition to any hours of instruction used to meet the requirements of subsection (b), (c), (e) or (f).

(e) Any person who applies for an original license in this state as a broker who is a nonresident of Kansas or who is a resident of Kansas applying for licensure pursuant to K.S.A. 58-3040(e), and amendments thereto, shall submit evidence, satisfactory to the commission, of attendance of a Kansas real estate course, of not less than four hours of instruction and completed within the six months immediately preceding the filing of the application for licensure. Such course shall be approved by the commission and shall be specific to Kansas law with primary emphasis on issues that arise under the brokerage relationships in real estate transactions act, K.S.A. 58-30,101 et seq., and amendments thereto, and rules or regulations adopted thereunder.

(f) At or prior to each license expiration date established by the commission, any person who is licensed in this state as a broker or as a salesperson shall submit evidence, satisfactory to the commission, of attendance of not less than 12 hours of continuing education approved by the commission and completed after issuance of the license and during the renewal period. This requirement shall not apply to a license on deactivated status pursuant to K.S.A. 58-3047, and amendments thereto.

(g) Except for courses reviewed pursuant to subsection (j), courses of instruction required by this section shall be courses approved by the commission and offered by:

(1) An institution which is accredited by the north central association of colleges and secondary schools accrediting agency;

- (2) a technical college as defined by K.S.A. 74-32,407, and amendments thereto;
- (3) a private or out-of-state postsecondary educational institution which has been issued a certificate of approval pursuant to the Kansas private and out-of-state postsecondary educational institution act;
- (4) any agency of the state of Kansas;
- (5) a similar institution, approved by the commission, in another state; or
- (6) an entity, approved by the commission, to provide continuing education.
- (h) The commission shall adopt rules and regulations to: (1) Prescribe minimum curricula and standards for all courses offered to fulfill education requirements of this act; (2) designate a course of study to fulfill any specific requirement, which may include a testing requirement; (3) prescribe minimum qualifications for instructors of approved courses; and (4) establish standards and procedures for approval of courses and instructors, monitoring courses, advertising, registration and maintenance of records of courses, and withdrawal of approval of courses and instructors.
- (i) The commission may approve distance education courses consisting solely or primarily of instruction provided online or in other computer-assisted formats, or by correspondence, audiotape, videotape or other media. For the purposes of this section, attendance of one hour of instruction shall mean 50 minutes of classroom instruction or the equivalent thereof in distance education study as determined by the commission.
- (j) Courses of instruction required by this section shall be courses approved by the commission either before or after their completion. The commission may give credit toward the 12 hours of continuing education required by subsection (f) to any licensee who submits an application for course review obtained from the commission and pays the fee prescribed by K.S.A. 58-3063, and amendments thereto, if, in the judgment of the commission, the course meets the objectives of continuing education.
- (k) The commission shall publish a list of courses approved by the commission.
- (l) No license shall be issued or renewed unless the applicable requirements set forth in this section are met within the time prescribed.

History: L. 1982, ch. 231, § 1; L. 1985, ch. 188, § 3; L. 1986, ch. 209, § 8; L. 1991, ch. 163, § 2; L. 1993, ch. 241, § 4; L. 1995, ch. 149, § 4; L. 1997, ch. 65, § 10; L. 2006, ch. 66, § 1; L. 2007, ch. 88, § 6; L. 2009, ch. 7, § 2; L. 2015, ch. 21, § 1; L. 2019, ch. 23, § 4; July 1.