

Sixty-fifth
Legislative Assembly
of North Dakota

ENGROSSED HOUSE BILL NO. 1306

Introduced by

Representatives Beadle, Boschee, Kading, Vetter

Senators Meyer, Roers

1 A BILL for an Act to amend and reenact sections 43-23-01 and 43-23-02 of the North Dakota
2 Century Code, relating to the real estate commission; and to provide for application.

3 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

4 **SECTION 1. AMENDMENT.** Section 43-23-01 of the North Dakota Century Code is
5 amended and reenacted as follows:

6 **43-23-01. Real estate commission - Members.**

7 The state real estate commission consists of five members appointed by the governor, three
8 of whom must be licensed and active real estate brokers, appointed by the governor or
9 associate real estate brokers, who have been licensed as real estate brokers or associate real
10 estate brokers in the state for at least five years. Two members must be of the general public
11 and not licensed as real estate brokers in the state. Each member must be a resident of the
12 state and a member may not reside in the same county as another commission member. The
13 commission shall organize by the election of a chairman.

14 **SECTION 2. AMENDMENT.** Section 43-23-02 of the North Dakota Century Code is
15 amended and reenacted as follows:

16 **43-23-02. Commission - Term - Duties - Records.**

17 The governor shall appoint each member of the commission for a term of five years. Terms
18 must be staggered so the term of one member expires each year. At the expiration of the term
19 of any member of the commission, the governor shall appoint a successor for a term of five
20 years. A commissioner may not serve more than two consecutive five-year terms. In the event
21 of a vacancy on the commission for any reason the governor shall appoint a member for the
22 unexpired term of that member.

1 A majority of the commission, in a duly assembled meeting, may perform and exercise all of
2 the duties and powers devolving on the commission. The commission may submit a biennial
3 report to the governor and the secretary of state in accordance with section 54-06-04.

4 The commission shall adopt a seal with North Dakota real estate commission engraved on
5 the seal, by which it shall authenticate its proceedings. Copies of all records and papers in the
6 office of the commission, duly certified and authenticated by the seal of such commission, must
7 be received in evidence in all courts equally and with like effect as the original.

8 **SECTION 3. APPLICATION.** This Act applies to state real estate commission appointments
9 of members which take place after July 31, 2017. This Act does not invalidate the current term
10 of a member serving on the commission on August 1, 2017.