

## **BILL ANALYSIS**

Senate Research Center  
81R4662 BEF-D

S.B. 1184  
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As Filed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Real estate license course providers are a growing industry that need more autonomy without sacrificing regulatory oversight. The Texas Real Estate Commission (TREC) currently approves in-class, correspondence, and on-line courses for certain real estate licensees. However, courses offered through colleges and universities are not subject to TREC oversight.

SB 1184 allows accredited real estate or real estate inspection education programs to offer courses required to be taken to obtain a license either online or by correspondence provided that the program and the course offered meet certain requirements.

As proposed, S.B. 1184 amends current law relating to online and correspondence real estate and real estate inspection courses.

### **RULEMAKING AUTHORITY**

Rulemaking authority is expressly granted to the Texas Real Estate Commission in SECTION 1 (Section 1101.3051, Occupations Code) of this bill.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Subchapter G, Chapter 1101, Occupations Code, by adding Section 1101.3051, as follows:

Sec. 1101.3051. **ONLINE AND CORRESPONDENCE COURSES.** Authorizes an accredited real estate or real estate inspection education program to offer a course required to obtain a license under this chapter or Chapter 1102 (Real Estate Inspectors) online or by correspondence if:

- (1) the program is a domestic entity, as defined by Section 1.002 (Definitions), Business Organizations Code;
- (2) the program's principal office is located in this state;
- (3) the course that is offered online or by correspondence is also offered with in-person instruction by the program at a physical location in this state;
- (4) the course has learning objectives for each area of instruction, is measured in clock hours of instruction, includes pre-assessments in each area of instruction to determine the student's level of competence before taking the course, and includes post-assessments to determine the student's overall comprehension of the subject matter;
- (5) the program requires students who are completing a correspondence course to pass an examination administered by a proctor who meets requirements adopted by the Texas Real Estate Commission (TREC) by rule;
- (6) the program requires students who are completing an online course to pass an examination that includes a method to calculate the time for each question or the time for each area of study;

(7) the program provides for an instructor approved by TREC to be available by telephone or e-mail or online to answer students' questions; and

(8) each of the program's instructors is approved by TREC.

SECTION 2. Effective date: September 1, 2009.