

2023 Kansas Statutes

58-3040. Nonresident license. (a) A nonresident of this state may be granted a broker's license if:

(1) The nonresident is licensed as a broker in the nonresident's state of residence; and

(2) the nonresident meets all requirements imposed by this act on Kansas residents for licensure as a broker, except as provided by subsection (e).

(b) A nonresident broker may be granted a salesperson's license, if:

(1) The nonresident is licensed as a broker in the nonresident's state of residence;

(2) the nonresident meets all requirements imposed by this act on Kansas residents for licensure as a broker, except for the requirements of K.S.A. 58-3039(d) or (e), and amendments thereto, and the nonresident does not qualify for a waiver pursuant to subsection (e); and

(3) the nonresident submits the certification described in K.S.A. 58-3039(h), and amendments thereto.

(c) A nonresident salesperson employed by or associated with a broker licensed pursuant to this act may be granted a salesperson's license under the broker, if:

(1) The salesperson is licensed as a salesperson in the salesperson's state of residence; and

(2) the salesperson meets all requirements imposed by this act on Kansas residents for licensure as a salesperson, except as provided by subsection (f).

(d) The commission may enter into agreements with other jurisdictions as to the issuance of reciprocal licenses.

(e) The commission may waive the education provided by K.S.A. 58-3046a(b), and amendments thereto, the examination provided by K.S.A. 58-3039, and amendments thereto, and the experience provided by K.S.A. 58-3039(d) or (e), and amendments thereto, and issue an original broker's license to a nonresident or to a Kansas resident who holds a broker's license issued by another jurisdiction if, in the judgment of the commission, the applicant received equivalent education, passed an equivalent examination and obtained equivalent experience. The applicant shall meet all other requirements imposed by this act.

(f) The commission may waive the education provided by K.S.A. 58-3046a(a), and amendments thereto, and the examination provided by K.S.A. 58-3039, and amendments thereto, and issue an original salesperson's license to a nonresident or to a Kansas resident who holds a license issued by another jurisdiction if, in the judgment of the commission, the applicant received equivalent education and passed an equivalent examination. The applicant shall meet all other requirements imposed by this act.

(g) Prior to the issuance of a license to a nonresident, the applicant must agree in writing to abide by all provisions of this act with respect to the applicant's real estate activities within the state and submit to the jurisdiction of the commission and the state in all matters relating thereto. The agreement shall be filed with the commission and shall remain in force for so long as the nonresident is licensed by this state and thereafter with respect to acts or omissions committed while licensed as a nonresident.

(h) A nonresident licensed under this section shall be entitled to the same rights and subject to the same obligations as are provided in this act for Kansas residents, except that revocation or suspension of a nonresident's license in the nonresident's state of residence shall automatically cause the same revocation or suspension of the nonresident's license issued under this act. No hearing shall be granted to a nonresident licensee whose license is subject to the automatic revocation or suspension except for the purpose of establishing the fact of revocation or suspension of the nonresident's license by the nonresident's state of residence.

History: L. 1980, ch. 164, § 7; L. 1985, ch. 188, § 2; L. 1986, ch. 209, § 4; L. 1993, ch. 241, § 2; L. 2016, ch. 30, § 1; L. 2019, ch. 23, § 2; July 1.