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HOUSE OF REPRESENTATIVES
150th GENERAL ASSEMBLY

HOUSE BILL NO. 235

AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO REAL ESTATE SERVICES,
BROKERS, ASSOCIATE BROKERS, AND SALESPERSONS.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

1 Section 1. Amend Chapter 29, Title 24 of the Delaware Code by making deletions as shown by the insertions as
2 shown by underline as follows:

3 § 2939. Limitations on Local Business Licensing Requirements, Fees and Taxes.

4 (a) A county, municipality, or other political subdivision of the State shall not impose local business licensing
5 requirements, fees, or taxes upon real estate brokers, associate brokers, brokerage organizations, or real estate salespersons
6 for any of the following activities in that jurisdiction:

7 (1) Listing real estate for sale.

8 (2) Representing buyers in the purchase of real estate.

9 (3) Rental of real estate for property owners or tenants.

10 (b) This section does not prohibit a jurisdiction from charging a real estate broker, associate broker, brokerage
11 organization, or real estate salesperson with a physical office in that jurisdiction for a business license, fees, or taxes on the
12 same basis as other businesses with offices in that jurisdiction.

13 Section 2. This Act takes effect on January 1, 2020.

14 Section 3. If any provision of this Act or the application of this Act to any person or circumstance is held invalid,
15 the provisions of this Act are severable if the invalidity does not effects the other provisions of this Act that can be given
16 effect without the invalid provision or the application of this Act that can be given effect without the invalid application.

SYNOPSIS

This Act will prohibit political subdivisions of this State from requiring real estate licensees to obtain an additional
business license or pay taxes in order to list property for sellers or represent buyers for the purchase of real estate.