

Assembly Bill No. 839

CHAPTER 194

An act to amend Section 10460 of the Business and Professions Code, relating to real estate.

[Approved by Governor September 7, 2007. Filed with
Secretary of State September 7, 2007.]

LEGISLATIVE COUNSEL'S DIGEST

AB 839, Emmerson. Real estate: military licensee.

Existing law, the Real Estate Law, provides for the licensure and regulation of real estate brokers and salespersons by the Real Estate Commissioner. Under existing law, a military licensee in the military service of the United States is not required to renew his or her real estate license until the beginning of the license period that first commences after his or her returning to the real estate business or one year following termination of military service, whichever is the earlier. Existing law specifies that "persons in the military service of the United States" includes certain military persons and no others.

This bill would add the National Guard to that list of specified persons.

The people of the State of California do enact as follows:

SECTION 1. Section 10460 of the Business and Professions Code is amended to read:

10460. As used in this article:

(a) "Military licensee" refers to any person who, while licensed under the Real Estate Law, or any of the statutes codified therein, entered the military service of the United States and notifies the commissioner of that fact within six months of such entry.

(b) "Persons in the military service of the United States" includes the following persons and no others: all members of the United States Army, the United States Navy, the United States Air Force, the Marine Corps, the Merchant Marine in time of war, the Coast Guard, the National Guard, and all officers of the Public Health Service detailed by proper authority for duty either with the Army or the Navy.

(c) "Military service" signifies federal service after October 1, 1940, on active duty with any branch of service heretofore referred to or mentioned as well as training or education under the supervision of the United States preliminary to induction into the military service. The terms "active service" or "active duty" include the period during which a person in military service

is absent from duty on account of sickness, wounds, leave, or other lawful cause.

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