



Senate

General Assembly

File No. 239

February Session, 2006

Senate Bill No. 616

Senate, March 30, 2006

The Committee on Insurance and Real Estate reported through SEN. CRISCO of the 17th Dist., Chairperson of the Committee on the part of the Senate, that the bill ought to pass.

AN ACT REQUIRING THE RETENTION OF CERTAIN RECORDS BY REAL ESTATE BROKERS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective October 1, 2006*) Any real estate broker
2 licensed under the provisions of chapter 392 of the general statutes
3 who engages in the real estate business, as defined in section 20-311 of
4 the general statutes, shall retain the following records for a period of
5 not less than seven years after any real estate transaction closes, all
6 funds held in escrow for such transaction are disbursed or the listing
7 agreement or buyer or tenant representation agreement expires,
8 whichever occurs later: (1) All purchase contracts, leases, options,
9 written offers or counteroffers drafted by such broker or on behalf of
10 such broker; (2) the listing agreement or buyer or tenant representation
11 agreement, any extensions of or amendments to such agreements and
12 any disclosures or agreements required pursuant to sections 20-325a to
13 20-325l, inclusive, of the general statutes; and (3) all canceled checks,
14 unused checks, checkbooks and bank statements for any escrow or

15 trust account maintained pursuant to section 20-324k of the general
16 statutes. Such records may be retained in any format, electronic or
17 otherwise, capable of producing an accurate copy in paper format of
18 the original document.

This act shall take effect as follows and shall amend the following sections:		
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Section 1	<i>October 1, 2006</i>	New section
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INS *Joint Favorable*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

OFA Fiscal Note

State Impact: None

Municipal Impact: None

Explanation

The bill requires licensed real estate brokers to retain certain records for at least seven years after any real estate transaction closes. There is no fiscal impact.

The Out Years

State Impact: None

Municipal Impact: None

OLR Bill Analysis
SB 616

***AN ACT REQUIRING THE RETENTION OF CERTAIN RECORDS BY
REAL ESTATE BROKERS.***

SUMMARY:

The bill requires licensed real estate brokers who engage in the real estate business to retain certain records for at least seven years after the latest of the following: (1) any real estate transaction closes; (2) all funds held in escrow for the transaction are disbursed; (3) or the listing agreement or buyer or tenant representation agreement expires, whichever occurs later.

The bill applies to the following records:

1. all purchase contracts, leases, options, written offers, or counteroffers drafted by or on behalf of the broker;
2. the listing agreement or buyer or tenant representation agreement, any extensions of or amendments to the agreements, and any disclosures, agreements, letters, memorandum, or other writings that satisfy statutory requirements for the broker bringing a lawsuit for acts done or services rendered; and
3. all canceled checks, unused checks, checkbooks, and bank statements for any escrow or trust account the broker maintains in the course of his real estate business.

The broker must retain these records in any format, including electronic, capable of producing an accurate paper copy of the original document.

EFFECTIVE DATE: October 1, 2006

COMMITTEE ACTION

Insurance and Real Estate Committee

Joint Favorable

Yea 18 Nay 0 (03/16/2006)