

FIRST REGULAR SESSION

SENATE BILL NO. 488

98TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR CUNNINGHAM.

Read 1st time February 23, 2015, and ordered printed.

ADRIANE D. CROUSE, Secretary.

2280S.01I

AN ACT

To repeal section 443.719, RSMo, and to enact in lieu thereof one new section relating to mortgage loan originators.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Section 443.719, RSMo, is repealed and one new section
2 enacted in lieu thereof, to be known as section 443.719, to read as follows:

443.719. 1. In order to meet the written test requirement under sections
2 443.701 to 443.893, an individual shall pass, in accordance with the standards
3 established under this section, a qualified written test developed by the NMLSR
4 and administered by a test provider approved by the NMLSR based upon
5 reasonable standards, **and designated as the Nationwide Mortgage
6 Licensing System (NMLS) Uniform State Test (UST) for Mortgage Loan
7 Originator (MLO) licensing.**

8 2. A written test shall not be treated as a qualified written test for
9 purposes of subsection 1 of this section unless the test adequately measures the
10 applicant's knowledge and comprehension in appropriate subject areas, including:

- 11 (1) Ethics;
- 12 (2) Federal law and regulation pertaining to mortgage origination;
- 13 (3) State law and regulation pertaining to mortgage origination;
- 14 (4) Federal and state law and regulation on fraud, consumer protection,
15 the nontraditional mortgage marketplace, and fair lending issues.

16 3. Nothing in this section shall prohibit a test provider approved by the
17 NMLSR from providing a test at the location of the employer of the applicant or
18 the location of any subsidiary or affiliate of the employer of the applicant, or the
19 location of any person with which the applicant holds an exclusive arrangement
20 to conduct the business of a mortgage loan originator.

21 4. An applicant for licensure as a mortgage loan originator shall
22 demonstrate minimum competence as follows:

23 (1) An individual shall not be considered to have passed a qualified
24 written test unless the individual achieves a test score of not less than
25 seventy-five percent correct answers to questions;

26 (2) An individual may retake a test two times with each consecutive
27 taking occurring at least thirty days after the preceding test;

28 (3) After failing three consecutive tests, an individual shall wait at least
29 six months before taking the test again;

30 (4) A licensed mortgage loan originator who fails to maintain a valid
31 license for a period of five years or longer shall retake the test, not taking into
32 account any time during which such individual is a registered mortgage loan
33 originator.

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Bill

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