

P.L. 2025, CHAPTER 271, *approved January 12, 2026*
Assembly, No. 5978

1 AN ACT concerning compensation for certain broker-salespersons
2 and salespersons and amending R.S.45:15-16.

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4 **BE IT ENACTED** *by the Senate and General Assembly of the State*
5 *of New Jersey:*

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7 1. R.S.45:15-16 is amended to read as follows:

8 45:15-16. a. No real estate salesperson or broker-salesperson
9 shall accept a commission or valuable consideration for the
10 performance of any of the acts herein specified, from any person
11 except his employer or contracting broker, who must be a licensed
12 real estate broker.

13 b. **[A]** Notwithstanding any provision of R.S.45:15-1 through
14 R.S.45:15-29.5, or any other law, rule, or regulation to the contrary,
15 a real estate salesperson or broker-salesperson may form a limited
16 liability company pursuant to the "Revised Uniform Limited
17 Liability Company Act," P.L.2012, c.50 (C.42:2C-1 et seq.), or any
18 other entity permitted by law, in order to receive a commission or
19 other valuable consideration pursuant to subsection a. of this
20 section, and the real estate salesperson or broker-salesperson may
21 accept payment of the commission or other valuable consideration
22 or any part thereof from the limited liability **[corporation]** company
23 or other entity without affecting the business affiliation between the
24 employing or contracting broker and salesperson or broker-
25 salesperson defined in the written agreement between the
26 employing or contracting broker and the salesperson or broker-
27 salesperson as provided in subsection b. of P.L.2018, c.71 (C.45:15-
28 3.2). **[Notwithstanding the formation of such an entity, a**
29 **salesperson or broker-salesperson who satisfies the requirements of**
30 **subparagraph (K) of paragraph (7) of subsection (i) of R.S.43:21-19**
31 **shall not be considered an employee pursuant to that law.]**

32 c. The New Jersey Real Estate Commission shall create a
33 registration process for a limited liability company and other entity
34 to receive a commission or other valuable consideration pursuant to
35 **[subsection]** subsections a. and b. of this section.

36 (cf: P.L.2021, c.281, s.1)

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38 2. This act shall take effect immediately.

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41 STATEMENT

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43 This bill updates New Jersey law addressing the compensation of
44 a real estate salesperson or broker-salesperson who has created a

EXPLANATION – Matter enclosed in bold-faced brackets **[thus]** in the above bill is
not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

1 limited liability company pursuant to State law. Currently, no real
2 estate salesperson or broker-salesperson can accept a commission or
3 valuable consideration from any person except the employer or
4 licensed broker with whom the salesperson or broker-salesperson is
5 under contract. The bill clarifies that a real estate salesperson or
6 broker-salesperson may accept the commission or other valuable
7 consideration from the limited liability company or other entity
8 without affecting the business affiliation between a broker and
9 salesperson or broker-salesperson defined in the written agreement
10 between the broker and salesperson or broker-salesperson.

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15 Clarifies current law addressing commissions paid to limited
16 liability companies formed by real estate salespersons or broker-
17 salespersons.