

1 STATE OF OKLAHOMA

2 2nd Session of the 53rd Legislature (2012)

3 COMMITTEE SUBSTITUTE
4 FOR ENGROSSED
5 SENATE BILL NO. 1493

By: Paddack of the Senate

and

Thomsen of the House

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9 COMMITTEE SUBSTITUTE

10 An Act relating to the Oklahoma Certified Real Estate
11 Appraisers Act; amending 59 O.S. 2011, Sections 858-
12 708 and 858-713, which relate to the Oklahoma
13 Certified Real Estate Appraisers Act; modifying fee
14 requirement; authorizing Real Estate Appraiser Board
15 to collect certain fee and promulgate certain rules;
16 modifying language; providing procedures for
17 certification upgrades; requiring certain applicant
18 meet certain qualifications and experience for
19 certification upgrade; expediting certain
20 applications; stating considerations for initial
21 review; providing for automatic second review upon
22 denial in initial review; requiring recommendations
23 and criteria for reapplication upon denial;
24 authorizing Real Estate Appraiser Board to employ
appraisers for certain purpose; directing certain
notification to applicant upon certain condition;
providing an effective date; and declaring an
emergency.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 59 O.S. 2011, Section 858-708, is
amended to read as follows:

1 Section 858-708. A. The Insurance Department shall charge and
2 collect fees not to exceed the following:

3	1. Trainee Appraiser Certificate	
4	(annually)	\$300.00
5	2. State Licensed Appraiser	
6	Certificate (annually)	\$300.00
7	3. State Certified General Appraiser	
8	Certificate (annually)	\$300.00
9	4. State Certified Residential Appraiser	
10	Certificate (annually)	\$300.00
11	5. State Licensed	
12	Appraiser Examination	\$150.00
13	6. State Certified General Appraiser Examination	\$150.00
14	7. State Certified Residential Appraiser	
15	Examination	\$150.00
16	8. Reexamination Fee	\$150.00
17	9. Late Fee	\$50.00
18	10. Reinstatement Fee	\$50.00
19	11. Duplicate for Lost or Destroyed Certificate	\$5.00
20	12. Temporary Practice Fee Per Appraisal	\$50.00
21	13. Maximum Temporary Practice Fee Per Assignment	\$150.00

22 B. The Department shall charge and collect such fees as may be
23 promulgated by administrative rule by the Real Estate Appraiser
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1 Board for the conduct of experience reviews required in the
2 licensing process.

3 C. The Department shall charge and collect such fees as may be
4 promulgated by administrative rule by the Real Estate Appraiser
5 Board for review of submissions by course providers and instructors.

6 ~~D. The Insurance Department shall charge and collect a Federal~~
7 ~~Registry Fee of Twenty-five Dollars (\$25.00) for all All state~~
8 ~~licensed, state certified residential, and state certified general~~
9 ~~appraisers shall be responsible for payment of all Federal Registry~~
10 ~~Fees. Said fee shall be transmitted The Real Estate Appraiser Board~~
11 ~~shall promulgate rules to assist appraisers in meeting the~~
12 ~~requirements of the Appraisal Subcommittee of the Federal Financial~~
13 ~~Institutions Examination Council.~~

14 SECTION 2. AMENDATORY 59 O.S. 2011, Section 858-713, is
15 amended to read as follows:

16 Section 858-713. A. An original certification as a state
17 certified general or a state certified residential or state licensed
18 appraiser shall not be issued to any person who does not possess the
19 equivalent of the minimum requirements of experience promulgated by
20 the ~~Appraisal~~ Appraiser Qualifications Board of the Appraisal
21 Foundation in real property appraisal supported by adequate written
22 reports or file memoranda. Provided, ~~there shall be~~ no experience
23 ~~requirement~~ shall be required for a trainee appraiser. Provided,
24 any state licensed appraiser who becomes state licensed prior to

1 July 1, 2001, shall not be required to attain the minimum
2 requirements of experience promulgated by the Appraiser
3 Qualifications Board to maintain certification as a state licensed
4 appraiser.

5 B. Each applicant for certification as a state certified
6 general or a state certified residential or state licensed appraiser
7 shall furnish under oath a detailed listing of the real estate
8 appraisal reports or file memoranda for each year for which
9 experience is claimed by the applicant. Upon request, the applicant
10 shall make available to the Real Estate Appraiser Board for
11 examination, a sample of appraisal reports which the applicant has
12 prepared in the course of that applicant's appraisal practice.

13 C. Each applicant for a certification upgrade to a state
14 certified general or a state certified residential or state licensed
15 appraiser shall be required to meet the prerequisites for the
16 certification sought as provided in Section 858-712 of this title
17 and the minimum requirements promulgated by the Appraiser
18 Qualifications Board of the Appraisal Foundation as required by
19 subsection A of this section. The application for a certification
20 upgrade shall be processed as provided for an application for
21 original certification, except all applications for certification
22 upgrades shall be expedited. During the initial review period all
23 qualifications and experience including review of sample appraisal
24 reports submitted shall be considered. Upon completion of the

1 initial review, the applicant shall be notified as to whether or not
2 the application for certification upgrade is approved. In the event
3 an application for a certification upgrade is denied, a second
4 review shall automatically commence. During a second review, the
5 applicant may be required to submit different sample appraisal
6 reports as authorized in subsection B of this section or other
7 information requested by the Board or reviewer which would tend to
8 clarify or assist in determining the applicant's qualifications and
9 experience relating to the certification being sought. Following
10 the completion of the second review, the applicant shall be notified
11 in writing by the Board as to whether or not the application for
12 certification upgrade is approved, and if denied, the notification
13 shall state recommendations for improving qualifications and
14 experience and any criteria for reapplication.

15 D. In order to expedite the application process provided in
16 this section, the Real Estate Appraiser Board shall employ by
17 contract, as necessary, a qualified appraiser or appraisers to
18 review the applicants' experience for compliance with the minimum
19 requirements promulgated by the Appraiser Qualifications Board of
20 the Appraisal Foundation as required by subsection A of this
21 section. In the event the application process cannot be completed
22 in ninety (90) days, the Real Estate Appraiser Board shall notify
23 the applicant of the reason for delay or provide an estimated date
24 for completion of the application process.

1 SECTION 3. This act shall become effective July 1, 2012.

2 SECTION 4. It being immediately necessary for the preservation
3 of the public peace, health and safety, an emergency is hereby
4 declared to exist, by reason whereof this act shall take effect and
5 be in full force from and after its passage and approval.

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