

1                   **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2                                   STATE OF OKLAHOMA

3                                   2nd Session of the 53rd Legislature (2012)

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

By: Paddack of the Senate

and

Thomsen of the House

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10                                   COMMITTEE SUBSTITUTE

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

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

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

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

UNDERLINED language denotes Amendments to present Statutes.  
**BOLD FACE CAPITALIZED** language denotes Committee Amendments.  
~~Strike thru~~ language denotes deletion from present Statutes.

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

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

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

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

18 Section 858-713. A. An original certification as a state  
19 certified general or a state certified residential or state licensed  
20 appraiser shall not be issued to any person who does not possess the  
21 equivalent of the minimum requirements of experience promulgated by  
22 the ~~Appraisal~~ Appraiser Qualifications Board of the Appraisal  
23 Foundation in real property appraisal supported by adequate written

1 reports or file memoranda. Provided, ~~there shall be~~ no experience  
2 ~~requirement~~ shall be required for a trainee appraiser. Provided,  
3 any state licensed appraiser who becomes state licensed prior to  
4 July 1, 2001, shall not be required to attain the minimum  
5 requirements of experience promulgated by the Appraiser  
6 Qualifications Board to maintain certification as a state licensed  
7 appraiser.

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

16 C. Each applicant for a certification upgrade to a state  
17 certified general or a state certified residential or state licensed  
18 appraiser shall be required to meet the prerequisites for the  
19 certification sought as provided in Section 858-712 of this title  
20 and the minimum requirements promulgated by the Appraiser  
21 Qualifications Board of the Appraisal Foundation as required by  
22 subsection A of this section. The application for a certification  
23 upgrade shall be processed as provided for an application for

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

19 D. In order to expedite the application process provided in  
20 this section, the Real Estate Appraiser Board shall employ by  
21 contract, as necessary, a qualified appraiser or appraisers to  
22 review the applicants' experience for compliance with the minimum  
23 requirements promulgated by the Appraiser Qualifications Board of

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1 the Appraisal Foundation as required by subsection A of this  
2 section. In the event the application process cannot be completed  
3 in ninety (90) days, the Real Estate Appraiser Board shall notify  
4 the applicant of the reason for delay or provide an estimated date  
5 for completion of the application process.

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

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

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12 COMMITTEE REPORT BY: COMMITTEE ON ECONOMIC DEVELOPMENT, TOURISM AND  
13 FINANCIAL SERVICES, dated 04/05/2012 - DO PASS, As Amended.

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