

1 STATE OF OKLAHOMA

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

3 HOUSE BILL 2965

By: Thomsen

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5  
6 AS INTRODUCED

7 An Act relating to professions and occupations;  
8 amending 59 O.S. 2011, Sections 858-706 and 858-712,  
9 which relate to the Oklahoma Certified Real Estate  
10 Appraisers Act; requiring Real Estate Appraiser Board  
11 maintain certain records; directing content of  
12 records; directing public availability of certain  
13 records; setting length of time for Board review;  
14 setting length of time for arranging examination  
15 date; and providing an effective date.

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

17 SECTION 1. AMENDATORY 59 O.S. 2011, Section 858-706, is  
18 amended to read as follows:

19 Section 858-706. A. The Real Estate Appraiser Board shall  
20 promulgate rules and regulations to implement the provisions of the  
21 Oklahoma Certified Real Estate Appraisers Act.

B. The Board shall have the following powers and duties:

22 1. To further define by regulation and with respect to each  
23 category of Oklahoma certified real estate appraisers the type of  
24 educational experience, appraisal experience, and equivalent  
experience that will meet the requirements of the Oklahoma Certified

1 Real Estate Appraisers Act, as approved by the Appraisal  
2 Subcommittee;

3 2. To establish the examination specifications for each  
4 category of Oklahoma certified real estate appraiser;

5 3. To approve or disapprove applications for certification and  
6 issue certificates;

7 4. To further define by regulation and with respect to each  
8 category of Oklahoma certified real estate appraiser, the continuing  
9 education requirements for the renewal of certification that will  
10 meet the requirements of the Oklahoma Certified Real Estate  
11 Appraisers Act as approved by the Appraisal Subcommittee;

12 5. To review from time to time the standards for the  
13 development and communication of real estate appraisals provided in  
14 the Oklahoma Certified Real Estate Appraisers Act and to adopt  
15 regulations explaining and interpreting the standards;

16 6. To establish administrative procedures for disciplinary  
17 proceedings conducted pursuant to the provisions of the Oklahoma  
18 Certified Real Estate Appraisers Act;

19 7. To censure, suspend and revoke certificates pursuant to the  
20 disciplinary proceedings provided in the Oklahoma Certified Real  
21 Estate Appraisers Act; and

22 8. To perform such other functions and duties as may be  
23 necessary in carrying out the provisions of the Oklahoma Certified  
24 Real Estate Appraisers Act.

1 In the exercise of all powers and the performance of all duties  
2 provided in this act, the Board shall comply with the procedures  
3 provided in the Administrative Procedures Act.

4 C. Actions of the Board shall not be subject to review by the  
5 Insurance Department.

6 D. The members of the Board shall not be held civilly liable  
7 for any action taken in good faith by the Board in its official  
8 capacity pursuant to law unless such action is arbitrary and  
9 capricious.

10 E. The Board shall maintain a record of every agent of the  
11 Board or individual who makes recommendations on or reviews the  
12 experience requirements of any applicant for original or renewal  
13 certification pursuant to the Oklahoma Certified Real Estate  
14 Appraisers Act. This record shall be made available to the public  
15 and shall include the name and relevant qualifications of every such  
16 agent or individual.

17 SECTION 2. AMENDATORY 59 O.S. 2011, Section 858-712, is  
18 amended to read as follows:

19 Section 858-712. A. State Certified General Appraiser - As a  
20 prerequisite to taking the examination for certification as a State  
21 Certified General Appraiser, an applicant shall present satisfactory  
22 evidence to the Real Estate Appraiser Board that such applicant has  
23 successfully completed the minimum educational requirement specified  
24 by the Appraiser Qualification Criteria promulgated by the Appraiser

1 Qualifications Board of the Appraisal Foundation of courses in  
2 subjects related to real estate appraisal from a nationally  
3 recognized appraisal organization or college or university or  
4 technology center school or private school approved by the Board and  
5 such classes shall be made available on a regional basis throughout  
6 the State of Oklahoma prior to the required examination date which  
7 must include classroom hours related to standards of professional  
8 practice.

9 B. State Certified Residential Appraiser - As a prerequisite to  
10 taking the examination for certification as a State Certified  
11 Residential Appraiser, an applicant shall present satisfactory  
12 evidence to the Board that such applicant has successfully completed  
13 the minimum educational requirement specified by the Appraiser  
14 Qualification Criteria promulgated by the Appraiser Qualifications  
15 Board of the Appraisal Foundation of courses in subjects related to  
16 real estate appraisal from a nationally recognized appraisal  
17 organization or college or university or technology center school or  
18 private school approved by the Board and such classes shall be made  
19 available on a regional basis throughout this state prior to the  
20 required examination date which must include classroom hours related  
21 to standards of professional practice.

22 C. State Licensed Appraiser - As a prerequisite to taking the  
23 examination for certification as a State Licensed Appraiser, an  
24 applicant shall present satisfactory evidence to the Board that such

1 applicant has successfully completed the minimum education  
2 requirement specified by the Appraiser Qualification Criteria  
3 promulgated by the Appraiser Qualifications Board of the Appraisal  
4 Foundation of courses in subjects related to real estate appraisal  
5 from a nationally recognized appraisal organization or a college or  
6 university or technology center school or private school approved by  
7 the Board and such classes shall be made available on a regional  
8 basis throughout the State of Oklahoma prior to the required  
9 examination date which must include classroom hours related to  
10 standards of professional practice. Provided, that any appraiser  
11 who becomes state licensed prior to July 1, 2001, shall not be  
12 required to complete any additional classroom hours necessary to  
13 meet the minimum requirements of the Appraiser Qualifications Board  
14 of the Appraisal Foundation in order to maintain certification as a  
15 state licensed appraiser.

16 D. Trainee Appraiser - There shall be no examination for  
17 certification as a Trainee Appraiser. As a prerequisite to  
18 certification as a Trainee Appraiser, an applicant shall present  
19 satisfactory evidence to the Board that such applicant has  
20 successfully completed not less than seventy-five (75) classroom  
21 hours of courses in subjects related to real estate appraisal from a  
22 nationally recognized appraisal organization or a college or  
23 university or area technology center school or private school  
24 approved by the Board and such classes shall be made available on a

1 regional basis throughout the State of Oklahoma prior to the  
2 required examination date with the cost of the classes being  
3 established by the Board which must include classroom hours related  
4 to standards of professional practice the minimum educational  
5 requirement specified by the Appraiser Qualification Criteria  
6 promulgated by the Appraiser Qualifications Board of the Appraisal  
7 Foundation.

8 E. For the certifications listed in subsections A through D of  
9 this section, the Board shall review the evidence submitted to the  
10 Board by the applicant and inform the applicant of the Board's  
11 decision no later than two (2) weeks after the date the material is  
12 submitted. If the Board determines the prerequisite evidence  
13 required by subsections A through C of this section is satisfactory,  
14 the Board shall set an examination date for the applicant no later  
15 than two (2) weeks after the satisfactory determination.

16 SECTION 3. This act shall become effective November 1, 2012.

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