

1                   **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2                               STATE OF OKLAHOMA

3                               2nd Session of the 56th Legislature (2018)

4 COMMITTEE SUBSTITUTE  
5 FOR ENGROSSED  
6 SENATE BILL NO. 1522

By: Leewright of the Senate

and

O'Donnell of the House

11                               COMMITTEE SUBSTITUTE

12           An Act relating to appraisers; amending 59 O.S. 2011,  
13           Sections 858-705.1 and 858-724, which relate to  
14           duties of the Board and subpoenas; providing  
15           procedure and status if service is undeliverable;  
16           modifying name of authority on certain examination  
17           standards; repealing 59 O.S. 2011, Section 858-312.1;  
18           and providing an effective date.

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

19           SECTION 1.           AMENDATORY           59 O.S. 2011, Section 858-705.1,  
20           is amended to read as follows:

21           Section 858-705.1   A.   In addition to the seven (7) appointed  
22           members of the Board, the Insurance Commissioner shall serve as ex-  
23           officio Chairperson of the Board, voting only in case of a tie.

1 B. As Chairperson, the Insurance Commissioner, in addition to  
2 his duties prescribed by law as Insurance Commissioner on the  
3 effective date of this act, shall be required to perform the  
4 following duties, for which duties he shall be paid an additional  
5 Twelve Thousand Dollars (\$12,000.00) annually, payable monthly from  
6 appropriations made to the Insurance Department:

7 1. Keep records of the proceedings of the Board;

8 2. Call special meetings of the Board when in the judgment of  
9 the chairperson it is necessary or proper to do so;

10 3. Procure appropriate examination questions and answers which  
11 shall meet criteria established by the Appraisal ~~Subcommittee~~  
12 Qualifications Board of the Appraisal Foundation and approved by the  
13 Board;

14 4. Develop guidelines for administration of and grading of the  
15 examinations in accordance with standards promulgated by the  
16 Appraisal ~~Subcommittee~~ Qualifications Board of the Appraisal  
17 Foundation and approved by the Board;

18 5. Prepare and file ~~a~~ an annual report with the Speaker of the  
19 House, the President Pro Tempore of the Senate, and the Governor  
20 detailing the number of applicants for the examination and the  
21 pass/fail rate;

22 6. Formulate a study to evaluate the number of appraisers  
23 licensed or certified by the state on a countywide basis and report  
24 to the Speaker of the House, the President Pro Tempore of the

1 Senate, and the Governor concerning whether there is a shortage of  
2 qualified appraisers in the state;

3 7. Establish and maintain a recordkeeping system approved by  
4 the Board to monitor compliance with the continuing education  
5 requirements imposed by law;

6 8. Make recommendations to the Board concerning the  
7 establishment of administrative procedures for conducting  
8 disciplinary proceedings pursuant to the provisions of this act;

9 9. Develop a procedure approved by the Board whereby persons  
10 aggrieved by the actions of a licensed or certified appraiser may  
11 file complaints with the Board;

12 10. Annually compile and file a report with the Speaker of the  
13 House, President Pro Tempore of the Senate, and the Governor  
14 detailing the number of complaints received by the Board, the  
15 resulting number of investigations and hearings conducted and the  
16 final disposition of these matters;

17 11. Prepare and file a report with the Speaker of the House,  
18 the President Pro Tempore of the Senate, and the Governor evaluating  
19 the impact of the voluntary licensure/certification program on  
20 future appraisers and recommend whether an appraiser trainee or  
21 apprenticeship program should be instituted; and

22 12. Submit to the Speaker of the House, the President Pro  
23 Tempore of the Senate, and the Governor on or before January 1,  
24 1994, a report evaluating the impact of the licensure/certification

1 requirements imposed by this act on the appraiser and banking  
2 industry and include in the report any recommendations for  
3 amendments to the Oklahoma Certified Real Estate Appraisers Act.

4 SECTION 2. AMENDATORY 59 O.S. 2011, Section 858-724, is  
5 amended to read as follows:

6 Section 858-724. A. Before suspending or revoking any  
7 certification, the Real Estate Appraiser Board shall notify the  
8 appraiser in writing of any charges made at least thirty (30) days  
9 prior to the date set for the hearing and shall afford the appraiser  
10 an opportunity to be heard in person or by counsel.

11 B. In any proceeding in which the Board is required to serve an  
12 order on an individual, the Board may send such material to the  
13 individual's address of record with the Board. If the order is  
14 returned with a notation by the United States Postal Service  
15 indicating that it is undeliverable for any reason, and the records  
16 of the Board indicate that the Board has not received any change of  
17 address since the order was sent, as required by the rules of the  
18 Board, the order and any subsequent material relating to the same  
19 matter sent to the most recent address on file with the Board shall  
20 be deemed by the court as having been legally served for all  
21 purposes. The written notice may be served ~~either~~ personally or  
22 ~~sent~~ by registered or certified mail to the last-known business  
23 and/or residence address of the appraiser.  
24

1 C. The Board shall have the power to subpoena and issue  
2 subpoenas duces tecum and to bring before it any person in this  
3 state, or to take testimony by deposition, in the same manner as  
4 prescribed by law in judicial proceedings in the courts of this  
5 state.

6 SECTION 3. REPEALER 59 O.S. 2011, Section 858-312.1, is  
7 hereby repealed.

8 SECTION 4. This act shall become effective November 1, 2018.

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10 COMMITTEE REPORT BY: COMMITTEE ON JUDICIARY, dated 04/16/2018 - DO  
11 PASS, As Amended.

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