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March 1, 2018

SENATE BILL NO. 1522

By: Leewright

An Act relating to appraisers; amending 59 O.S. 2011, Sections 858-724 and 858-705.1, which relate to duties of the Board and subpoenas; adding methods of service for certain notices; modifying name of authority on certain examination standards; and providing an effective date.

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

SECTION 1. AMENDATORY 59 O.S. 2011, Section 858-724, is amended to read as follows:

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

B. The written notice may be served ~~either~~ personally or ~~sent~~ by registered or certified mail to the last-known business and/or residence address of the appraiser, electronically via email or to the last known email address of the appraiser, or by any other means set out in the Oklahoma Pleading Code.

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 2. AMENDATORY 59 O.S. 2011, Section 858-705.1,
7 is amended to read as follows:

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

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

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

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

20 3. Procure appropriate examination questions and answers which
21 shall meet criteria established by the Appraisal Subcommittee
22 Qualifications Board of the Appraisal Foundation and approved by the
23 Board;
24

1 4. Develop guidelines for administration of and grading of the
2 examinations in accordance with standards promulgated by the
3 Appraisal ~~Subcommittee~~ Qualifications Board of the Appraisal
4 Foundation and approved by the Board;

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

9 6. Formulate a study to evaluate the number of appraisers
10 licensed or certified by the state on a countywide basis and report
11 to the Speaker of the House, the President Pro Tempore of the
12 Senate, and the Governor concerning whether there is a shortage of
13 qualified appraisers in the state;

14 7. Establish and maintain a recordkeeping system approved by
15 the Board to monitor compliance with the continuing education
16 requirements imposed by law;

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

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

23 10. Annually compile and file a report with the Speaker of the
24 House, President Pro Tempore of the Senate, and the Governor

1 detailing the number of complaints received by the Board, the
2 resulting number of investigations and hearings conducted and the
3 final disposition of these matters;

4 11. Prepare and file a report with the Speaker of the House,
5 the President Pro Tempore of the Senate, and the Governor evaluating
6 the impact of the voluntary licensure/certification program on
7 future appraisers and recommend whether an appraiser trainee or
8 apprenticeship program should be instituted; and

9 12. Submit to the Speaker of the House, the President Pro
10 Tempore of the Senate, and the Governor on or before January 1,
11 1994, a report evaluating the impact of the licensure/certification
12 requirements imposed by this act on the appraiser and banking
13 industry and include in the report any recommendations for
14 amendments to the Oklahoma Certified Real Estate Appraisers Act.

15 SECTION 3. This act shall become effective November 1, 2018.

16 COMMITTEE REPORT BY: COMMITTEE ON BUSINESS, COMMERCE AND TOURISM
17 March 1, 2018 - DO PASS
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