

1 STATE OF OKLAHOMA

2 1st Session of the 56th Legislature (2017)

3 SENATE BILL 571

By: Jech

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5
6 AS INTRODUCED

7 An Act relating to real estate appraisers; amending
8 59 O.S. 2011, Sections 858-706, as amended by Section
9 1, Chapter 97 O.S.L. 2014 (59 O.S. Supp. 2016,
10 Section 858-706), 858-707 and 858-712, which relate
11 to powers of the board, Insurance Commissioner's duty
12 to assist and categories of appraisers; providing
13 additional category of appraiser; directing certain
14 supervisions; directing the Insurance Commissioner to
15 assist; 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, as
18 amended by Section 1, Chapter 97, O.S.L. 2014 (59 O.S. Supp. 2016,
19 Section 858-706), is amended to read as follows:

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

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

24 1. To further define by regulation and with respect to each
category of Oklahoma certified real estate appraisers the type of
educational experience, appraisal experience, and equivalent

1 experience that will meet the requirements of the Oklahoma Certified
2 Real Estate Appraisers Act, as approved by the Appraiser
3 Qualification Board of the Appraisal Foundation;

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

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

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

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

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

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

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1 8. To further define by regulation and standards the type of
2 educational experience and equivalent experience that will meet the
3 approval of the Appraiser Qualification Board of the Appraisal
4 Foundation for a new category of appraisers to be called Special
5 Appraisers where such individuals are supervised by the Board or
6 other designated persons deemed qualified to supervise the work of
7 the Special Appraisers; and

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

11 In the exercise of all powers and the performance of all duties
12 provided in this act, the Board shall comply with the procedures
13 provided in the Administrative Procedures Act.

14 C. Actions of the Board shall not be subject to review by the
15 Department.

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

20 SECTION 2. AMENDATORY 59 O.S. 2011, Section 858-707, is
21 amended to read as follows:

22 Section 858-707. The Insurance Department shall have the
23 following powers and duties:

24 1. To receive application for Oklahoma certification;

1 2. To establish the administrative procedures for processing
2 applications for Oklahoma certification;

3 3. To maintain a registry of the names and addresses of people
4 certified pursuant to the provisions of the Oklahoma Certified Real
5 Estate Appraisers Act and transmit such registry to the Appraisal
6 Subcommittee;

7 4. To retain records and all application materials submitted to
8 it; ~~and~~

9 5. To assist the Board in expediting the regulations and
10 standards for a new category of appraisers to be called Special
11 Appraisers; and

12 6. To assist the Board in such other manner as may be
13 requested.

14 SECTION 3. AMENDATORY 59 O.S. 2011, Section 858-712, is
15 amended to read as follows:

16 Section 858-712. A. State Certified General Appraiser - As a
17 prerequisite to taking the examination for certification as a State
18 Certified General Appraiser, an applicant shall present satisfactory
19 evidence to the Real Estate Appraiser Board that such applicant has
20 successfully completed the minimum educational requirement specified
21 by the Appraiser Qualification Criteria promulgated by the Appraiser
22 Qualifications Board of the Appraisal Foundation of courses in
23 subjects related to real estate appraisal from a nationally
24 recognized appraisal organization or college or university or

1 technology center school or private school approved by the Board and
2 such classes shall be made available on a regional basis throughout
3 the State of Oklahoma prior to the required examination date which
4 must include classroom hours related to standards of professional
5 practice.

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

19 C. State Licensed Appraiser - As a prerequisite to taking the
20 examination for certification as a State Licensed Appraiser, an
21 applicant shall present satisfactory evidence to the Board that such
22 applicant has successfully completed the minimum education
23 requirement specified by the Appraiser Qualification Criteria
24 promulgated by the Appraiser Qualifications Board of the Appraisal

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

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

1 ~~to standards of professional practice~~ meeting the minimum
2 educational requirement specified by the Appraiser Qualification
3 Criteria promulgated by the Appraiser Qualifications Board of the
4 Appraisal Foundation.

5 E. Special Appraiser - There shall be no examination for
6 certification as a Special Appraiser. As a prerequisite to
7 certification as a Special Appraiser, an applicant shall present
8 satisfactory evidence to the Board that such applicant has
9 successfully completed not less than seventy-five (75) classroom
10 hours of courses in subjects related to real estate or real estate
11 appraisal from a recognized appraisal organization or a college or
12 university or area technology center school or private school
13 approved by the Board and such individual shall be supervised by
14 qualified Board members or by another qualified licensed appraiser.

15 SECTION 4. This act shall become effective November 1, 2017.

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