

AN ACT

ENTITLED, An Act to establish new criteria for the certification, licensure, and registration of real estate appraisers.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

Section 1. That chapter 36-21B be amended by adding thereto a NEW SECTION to read as follows:

Each applicant for initial certification, licensure, or registration under this chapter in this state shall submit to a state and federal criminal background investigation by means of fingerprint checks by the Division of Criminal Investigation and the Federal Bureau of Investigation. Upon application, the department shall submit completed fingerprint cards to the Division of Criminal Investigation. Upon completion of the criminal background check, the Division of Criminal Investigation shall forward to the department all information obtained as a result of the criminal background check. This information must be obtained prior to certification of the applicant. The department may require a state and federal criminal background check for any licensee who is the subject of a disciplinary investigation by the department. Failure to submit or cooperate with the criminal background investigation is grounds for denial of an application or may result in revocation of a license. The applicant shall pay for any fees charged for the cost of fingerprinting and the criminal background investigation.

Section 2. That chapter 36-21B be amended by adding thereto a NEW SECTION to read as follows:

The department shall deny issuance of a certificate to any applicant who:

- (1) Has had the ability to perform appraisals revoked in any governmental jurisdiction within the five year period immediately preceding the date of application;
- (2) Has been convicted of, or pled guilty or nolo contendere to, a felony in a domestic or

foreign court either during the five-year period immediately preceding the date of the application for certification, licensure, or registration or at any time preceding the date of application, if such felony involved an act of fraud, dishonesty, a breach of trust, or money laundering; or

- (3) Has failed to demonstrate character and general fitness which commands the confidence of the community and warrants a determination that the applicant will operate honestly, fairly, and efficiently with the purposes of this chapter.

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I certify that the attached Act originated in the

SENATE as Bill No. 47

Secretary of the Senate

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President of the Senate

Attest:

Secretary of the Senate

Speaker of the House

Attest:

Chief Clerk

Senate Bill No. 47
File No. _____
Chapter No. _____

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Received at this Executive Office this _____ day of _____ ,

20____ at _____ M.

By _____
for the Governor

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The attached Act is hereby approved this _____ day of _____ , A.D., 20____

Governor

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STATE OF SOUTH DAKOTA,
ss.

Office of the Secretary of State

Filed _____ , 20____
at _____ o'clock __ M.

Secretary of State

By _____
Asst. Secretary of State