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Chapter No. 363  
14/SS01/R946  
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**SENATE BILL NO. 2475**

Originated in Senate Liz Welch Secretary

SENATE BILL NO. 2475

AN ACT TO CREATE NEW SECTION 73-34-14, MISSISSIPPI CODE OF 1972, TO PROVIDE FOR BACKGROUND INVESTIGATIONS OF PROSPECTIVE REAL ESTATE APPRAISER LICENSEES; TO AMEND SECTION 73-34-21, MISSISSIPPI CODE OF 1972, TO REVISE PREREQUISITES TO TAKING EXAMINATIONS FOR LICENSING; TO AMEND SECTION 73-34-27, MISSISSIPPI CODE OF 1972, TO REQUIRE LICENSEES TO UNDERGO A CRIMINAL HISTORY RECORDS CHECK FOR RENEWAL OF LICENSE; AND FOR RELATED PURPOSES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

**SECTION 1.** The following shall be codified as Section 73-34-14, Mississippi Code of 1972:

73-34-14. (1) (a) To qualify for a Mississippi real estate appraiser license, an applicant must have successfully been cleared for licensure through an investigation that shall consist of a determination that the applicant does not possess a background which calls into question public trust, as set forth below in subsection (2), and verification that the prospective licensee is not guilty of or in violation of any statutory ground for denial of licensure as set forth in Section 73-34-35.

(b) To assist the board in conducting its licensure investigation, on and after January 1, 2015, all applicants for a

real estate appraiser license as a licensed real estate appraiser (license), licensed certified residential real estate appraiser (certification), or a licensed certified general real estate appraiser (certification), and all applicants for renewal of any real estate appraiser license or certification shall undergo a fingerprint-based criminal history records check of the Mississippi central criminal database and the Federal Bureau of Investigation criminal history database. Each applicant shall submit a full set of the applicant's fingerprints in a form and manner prescribed by the board, which shall be forwarded to the Mississippi Department of Public Safety (department) and the Federal Bureau of Investigation Identification Division for this purpose.

(c) Any and all state or national criminal history records information obtained by the board that is not already a matter of public record shall be deemed nonpublic and confidential information restricted to the exclusive use of the board, its members, officers, investigators, agents and attorneys in evaluating the applicant's eligibility or disqualification for licensure, and shall be exempt from the Mississippi Public Records Act of 1983. Except when introduced into evidence in a hearing before the board to determine licensure, no such information or records related thereto shall, except with the written consent of the applicant or by order of a court of competent jurisdiction, be

released or otherwise disclosed by the board to any other person or agency.

(d) The board shall provide to the department the fingerprints of the applicant, any additional information that may be required by the department, and a form signed by the applicant consenting to the check of the criminal records and to the use of the fingerprints and other identifying information required by the state or national repositories.

(e) The board shall charge and collect from the applicant, in addition to all other applicable fees and costs, such amount as may be incurred by the board in requesting and obtaining state and national criminal history records information on the applicant.

(2) (a) The board must ensure that applicants for a real estate appraiser license or certification do not possess a background that could call into question public trust. An applicant found by the board to possess a background which calls into question the applicant's ability to maintain public trust shall not be issued a real estate appraiser license or certification.

(b) The board shall not issue a real estate appraiser license or certification if:

(i) The applicant has had an appraiser license or certification revoked in any governmental jurisdiction within the

five (5) year period immediately preceding the date of the application;

(ii) The applicant has been convicted of, or pled guilty or nolo contendere to, a felony in a domestic, or foreign court:

1. During the five-year period immediately preceding the date of the application for licensing or certification; or

2. At any time preceding the date of the application, if such felony involved an act of fraud, dishonesty, or a breach of trust, or money laundering.

(iii) The applicant has failed to demonstrate character and general fitness such as to command the confidence of the community and to warrant a determination that the appraiser will operate honestly, fairly and efficiently within the purpose of these criteria.

(c) The board shall evaluate and consider, by rules and regulations, additional background issues, including, but not limited to, those required by the Appraiser Qualifications Board of the Appraisal Foundation in compliance with federal requirements, prior to issuing (or taking disciplinary action against) a real estate appraiser.

(d) The board shall adopt rules and regulations necessary to implement, administer and enforce the provisions of this section.

**SECTION 2.** Section 73-34-21, Mississippi Code of 1972, is amended as follows:

73-34-21. (1) (a) As a prerequisite to taking the examination for licensing as a licensed certified residential real estate appraiser, an applicant shall present acceptable evidence that such applicant has successfully completed not less than \* \* \* two hundred (200) classroom hours in courses of study approved by the board. The \* \* \* two hundred (200) classroom hours must be in courses of study approved by the board which relate to real estate appraisal and shall include coverage of the Uniform Standards of Professional Appraisal Practice. The courses of study referred to above must be conducted by an accredited university, college or junior college; an \* \* \* appraisal society, institute \* \* \* association; or such other school \* \* \* approved by the \* \* \* Appraiser Qualifications Board of The Appraisal Foundation in compliance with federal requirements \* \* \*.

(b) Applicants applying prior to January 1, 2015, for licensure as a licensed certified residential real estate appraiser shall present, in addition to the above two hundred (200) classroom hours, evidence that such applicant has (i) successfully completed twenty-one (21) semester credit hours in specified collegiate subject matter courses from an accredited college or university, or (ii) attained an associate's degree or higher.

(c) Applicants applying on or after January 1, 2015, for licensure as a licensed certified residential real estate appraiser shall present, in addition to the above two hundred (200) classroom hours, evidence that such applicant has a bachelor's degree or higher (in any field) from an accredited college or university.

(2) (a) As a prerequisite to taking the examination for licensing as a licensed certified general real estate appraiser, an applicant shall present acceptable evidence that such applicant has successfully completed not less than \* \* \* three hundred (300) classroom hours in courses of study approved by the board. The \* \* \* three hundred (300) classroom hours must be in courses of study approved by the board which relate to real estate appraisal and shall include coverage of the Uniform Standards of Professional Appraisal Practice. The courses of study referred to above must be conducted by an accredited university, college or junior college; an \* \* \* appraisal society, institute \* \* \* association \* \* \*, or such other school \* \* \* approved by the \* \* \* Appraiser Qualifications Board of The Appraisal Foundation in compliance with federal requirements \* \* \*.

(b) Applicants applying prior to January 1, 2015, for licensure as a licensed certified general real estate appraiser shall present, in addition to the above three hundred (300) classroom hours, evidence that such applicant has (i) successfully completed thirty (30) semester credit hours in specified

collegiate subject matter courses from an accredited college or university, or (ii) attained a bachelor's degree or higher.

(c) Applicants applying on or after January 1, 2015, for licensure as a licensed certified general real estate appraiser shall present, in addition to the above three hundred (300) classroom hours, evidence that such applicant has a bachelor's degree or higher (in any field) from an accredited college or university.

\* \* \*

( \* \* \*3) (a) A license as a licensed certified residential real estate appraiser shall not be issued to any person who does not possess \* \* \* two thousand five hundred (2,500) hours of qualifying experience in real property appraisal obtained during no fewer than twenty-four (24) months, and supported by adequate written reports or file memoranda.

(b) A license as a licensed certified general real estate appraiser shall not be issued to any person who does not possess three thousand (3,000) hours of qualifying experience in real property appraisal obtained during no fewer than thirty (30) months, and supported by adequate written reports or file memoranda. One thousand five hundred (1,500) of these hours must be in nonresidential appraisal work.

**SECTION 3.** Section 73-34-27, Mississippi Code of 1972, is amended as follows:

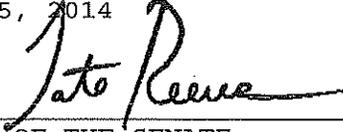
73-34-27. To obtain a renewal of any of the real estate appraisal licenses or a renewal of any registration issued under this chapter, the holder of a current, valid license or registration shall make application and pay the prescribed fee to the commission not earlier than one hundred twenty (120) days nor later than the expiration date, as defined in Section 73-34-25, of the license then held. Each application for renewal shall be accompanied by evidence, in the form prescribed by the board, of having completed the continuing education requirements for renewal specified in this chapter.

If a licensed appraiser or licensed certified real estate appraiser under this chapter fails to renew his license, or an appraisal management company fails to renew its registration before its expiration or within any period of extension granted under this chapter, that person or company may obtain a renewal of their license or registration by satisfying all of the requirements for renewal and filing an application for renewal, accompanied by a late renewal fee, within sixty (60) days of the date that the license or registration expired.

From and after January 1, 2015, all applicants for a real estate appraisal license renewal shall undergo a fingerprint-based criminal history records check of the Mississippi central criminal database and the Federal Bureau of Investigation criminal history database pursuant to the provisions of Section 73-34-14.

SECTION 4. This act shall take effect and be in force from  
and after July 1, 2014.

PASSED BY THE SENATE  
February 5, 2014



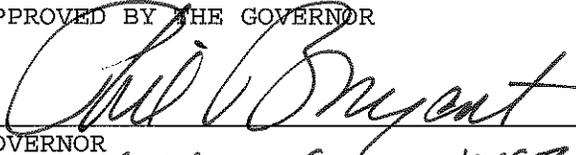
PRESIDENT OF THE SENATE

PASSED BY THE HOUSE OF REPRESENTATIVES  
March 4, 2014



SPEAKER OF THE HOUSE OF REPRESENTATIVES

APPROVED BY THE GOVERNOR



GOVERNOR

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