

Senate Bill 702

Sponsored by Senator MANNING JR (Pre-session filed.)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Allows Appraiser Certification and Licensure Board to require training on implicit bias and state and federal fair housing laws for real estate appraisers.

Takes effect on 91st day following adjournment sine die.

A BILL FOR AN ACT

1
2 Relating to real estate appraisers; amending ORS 674.310; and prescribing an effective date.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1.** ORS 674.310 is amended to read:

5 674.310. (1) The Appraiser Certification and Licensure Board shall:

6 (a) Have the power to do all things necessary and convenient to carry into effect the provisions
7 of this chapter, ORS 674.200 to 674.250 and the federal Act and to regulate the activities of state
8 licensed appraisers, state certified appraisers, state registered appraiser assistants and appraisal
9 management companies to ensure that real estate appraisals conform to the law in effect on the date
10 of the real estate appraisal activity.

11 (b) Certify or license appraisers and register appraiser assistants as necessary to carry out the
12 federal Act and the purposes set forth in ORS 674.020.

13 (c) Register appraisal management companies under ORS 674.200 to 674.250.

14 (d) Supervise the activities of state certified appraisers, state licensed appraisers, state regis-
15 tered appraiser assistants and appraisal management companies as provided in this chapter and ORS
16 674.200 to 674.250, to ensure that they perform real estate appraisal activity in strict conformance
17 with the provisions of this chapter and of the federal Act, and that they otherwise comply with the
18 provisions of this chapter and ORS 674.200 to 674.250 in the conduct of their professional activities.

19 (e) Establish, keep current and, no less than annually, transmit to the Appraisal Subcommittee
20 a roster listing state certified appraisers and state licensed appraisers.

21 (f) Collect and remit fees as required under ORS 674.250, 674.330 and 674.340.

22 (2) Rules adopted by the Appraiser Certification and Licensure Board to govern real estate ap-
23 praiser certification and licensure shall conform with the requirements of the federal Act. The
24 board shall adopt rules including but not limited to:

25 (a) Establishing programs for the certification, licensure or registration of individuals who en-
26 gage in real estate appraisal activity.

27 (b) Establishing educational requirements for certification or licensure of appraisers and for the
28 registration of appraiser assistants that ensure protection of the public interest and comply with the
29 requirements of the federal Act, **including on state and federal fair housing laws and topics of**
30 **implicit bias, including racial bias.** Education requirements for state licensed appraisers and state
31 certified appraisers must meet the minimum criteria established by the Appraiser Qualification

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

1 Board of the Appraisal Foundation.

2 (c) Establishing a professional code of responsibility for state certified appraisers and state li-
3 censed appraisers that is in conformance with the federal Act.

4 (d) Providing for registration of out-of-state appraisers as provided for under ORS 674.120.

5 (3) An individual may not be a state licensed appraiser or a state certified appraiser unless the
6 individual has achieved a passing grade on an examination approved by the Appraisal Qualification
7 Board of the Appraisal Foundation for the credential being sought.

8 (4) The Appraiser Certification and Licensure Board, acting through the administrator, may is-
9 sue subpoenas to compel the attendance of witnesses and the production of papers, books, records,
10 correspondence, agreements, memoranda and other material or relevant documents in investigations
11 or proceedings pertaining to the powers and duties of the board.

12 (5) In the case of a person who refuses to respond to a subpoena issued by the Appraiser Cer-
13 tification and Licensure Board, the judge of the circuit court, on the application of the board ad-
14 ministratoer, shall order compliance with the board subpoena in the same manner as a proceeding for
15 contempt for failure to respond to a subpoena of the court.

16 **SECTION 2. This 2023 Act takes effect on the 91st day after the date on which the 2023**
17 **regular session of the Eighty-second Legislative Assembly adjourns sine die.**

18