

As Amended by Senate Committee

Session of 2005

SENATE BILL No. 276

By Committee on Ways and Means

2-22

10 AN ACT concerning real estate appraisers; relating to licensure; amend-
11 ing K.S.A. 58-4109 and repealing the existing section.

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13 *Be it enacted by the Legislature of the State of Kansas:*

14 Section 1. K.S.A. 58-4109 is hereby amended to read as follows: 58-
15 4109. (a) There is hereby established the following classes of real property
16 appraisers:

- 17 (1) State licensed real property appraiser classification;
18 (2) certified general real property appraiser classification;
19 (3) certified residential real property appraiser classification; and
20 (4) state provisional licensed real property appraiser classification.
21 (b) The board may establish, by rules and regulations, such other
22 classifications as permitted by federal law.

23 (c) The board shall adopt rules and regulations, consistent with
24 requirements and criteria adopted pursuant to federal law, to:

- 25 (1) Define each classification;
26 (2) establish education and experience requirements for each
27 classification;
28 (3) establish examination specifications for each classification; and
29 (4) establish continuing education requirements for renewal of each
30 classification.

31 (d) In adopting rules and regulations pursuant to subsection (c), the
32 board shall determine the education, experience and examination
33 requirements necessary to provide appropriate assurance that an appli-
34 cant for certification or licensure is competent to perform appraisals
35 within the scope of practice of the appraisal work authorized for the clas-
36 sification applied for and that persons renewing their certificates or li-
37 censes have current knowledge of real property appraisal theory, practices
38 and techniques which will provide a high degree of service and protection
39 to those members of the public with whom they deal. In making such
40 determination, the board shall take into consideration the following:

- 41 (1) Appropriate knowledge of technical terms commonly used in or
42 related to real estate appraising, appraisal report writing and economic
43 concepts applicable to real estate;

- 1 (2) understanding of the principles of land economics, real estate ap-
2 praisal processes and problems likely to be encountered in gathering,
3 interpreting and processing data in carrying out appraisal disciplines;
- 4 (3) understanding of the standards for the development and com-
5 munication of real estate appraisals as provided in this act;
- 6 (4) knowledge of theories of depreciation, cost estimating, methods
7 of capitalization and mathematics of real estate appraisal that are appro-
8 priate for the classification applied for;
- 9 (5) knowledge of such other principles and procedures as may be
10 appropriate for the respective classifications;
- 11 (6) basic understanding of real estate law;
- 12 (7) understanding of the types of misconduct for which disciplinary
13 proceedings may be initiated against a state certified or licensed appraiser,
14 as set forth in this act;
- 15 (8) the requirements of federal law; and
- 16 (9) such other matters as the board determines appropriate and
17 relevant.
- 18 (e) The application for original certification or licensure and exami-
19 nation shall specify the classification being applied for.
- 20 ~~(f) In no event shall a certificate or license be issued to an individual~~
21 ~~unless the examination required for the classification applied for was~~
22 ~~passed by the applicant within the five-year period immediately preceding~~
23 ~~the date of application.~~
- 24 ~~(g) The board may approve applications for transitional licenses re-~~
25 ~~ceived prior to December 31, 1991, if the board determines the applicant~~
26 ~~has met the education and examination requirements established for state~~
27 ~~licensed appraisers.~~
- 28 ~~—A transitional license shall expire on the next June 30 after issuance~~
29 ~~and shall not be renewed more than two times. The license shall include~~
30 ~~a statement that it is a transitional license. If the transitional license is~~
31 ~~renewed a second time, the renewed license shall include a statement~~
32 ~~that it may not be renewed and extended beyond the expiration date~~
33 ~~appearing on the license.~~
- 34 ~~—The holder of a transitional license may obtain forms from the board~~
35 ~~to submit evidence of having completed the experience requirements~~
36 ~~established for state licensed appraisers. If the board approves issuance~~
37 ~~of a license prior to the expiration date of the transitional license, the~~
38 ~~applicant shall return the transitional license to the board.~~
- 39 ~~—Except as provided in this subsection, applicants for transitional li-~~
40 ~~censes and holders of transitional licenses are subject to all provisions of~~
41 ~~this act and any rules and regulations adopted hereunder.~~
- 42 Sec. 2. K.S.A. 58-4109 is hereby repealed.

1 Sec. 3. This act shall take effect and be in force from and after its
2 publication in the ~~statute book~~ ***Kansas register***.