

HOUSE BILL No. 2516

By Committee on Taxation

Requested by Representative Hoheisel on behalf of Sedgwick County

1-22

AN ACT concerning county appraisers; relating to qualifications of regular and provisional appraisers; providing for the appointment of such appraisers to serve as county appraisers; amending K.S.A. 19-430 and 19-432 and repealing the existing sections.

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

Section 1. K.S.A. 19-430 is hereby amended to read as follows: 19-430. (a) (1) On July 1, 1993, and on July 1 of each fourth year thereafter, the board of county commissioners or governing body of any unified government of each county shall by resolution appoint a county appraiser for such county who shall serve for a term of four years expiring on June 30 of the fourth year thereafter. ~~No person shall be appointed or reappointed to or serve as county appraiser in any county under the provisions of this act unless such person shall have at least three years of mass appraisal experience and be qualified by the director of property valuation as an eligible Kansas appraiser under the provisions of this act.~~

(2) *The director of property valuation shall maintain a list of all persons certified as regular appraisers in the state. A person certified as a regular appraiser may serve in the role of county appraiser without completing the course of study prescribed in paragraph (4). If a person appointed to serve as county appraiser in any county is not certified as a regular appraiser, the person may serve as county appraiser under a provisional appointment for two years from the start date as county appraiser and subject to the requirements set forth in paragraph (4).*

(3) *The director of property valuation shall certify any person as a regular appraiser if such person:*

(A) *Is a certified general real property appraiser pursuant to article 41 of chapter 58 of the Kansas Statutes Annotated, and amendments thereto;*

(B) *is a registered mass appraiser pursuant to rules and regulations adopted by the director of property valuation; or*

(C) *has already successfully completed the course of study prescribed in paragraph (4).*

(4) *Any person who receives a provisional appointment as a county appraiser pursuant to paragraph (3) shall, within the person's first two*

1 years after appointment, be required to complete a course of study
2 prescribed and administered by the director of property valuation. Such
3 course of study shall not include a comprehensive exam requirement.
4 Upon the successful completion of this course of study, the county
5 appraiser shall be certified as a regular appraiser and eligible to remain
6 in office until the board of county commissioners or governing body of any
7 unified government is required to adopt a resolution to appoint a county
8 appraiser pursuant to paragraph (1). If the person fails to complete the
9 course of study within the first two years after the provisional
10 appointment, the provisional appointment shall end on the anniversary of
11 the date of the second year of appointment and the person shall no longer
12 be eligible for reappointment pursuant to this paragraph.

13 (5) Whenever a vacancy ~~shall occur~~ occurs in the office of county
14 appraiser, the board of county commissioners or governing body of any
15 unified government shall appoint ~~an eligible Kansas appraiser to fill such~~
16 ~~vacancy for the unexpired term a replacement.~~ The person holding the
17 office of county or district appraiser or performing the duties thereof on
18 the effective date of this act shall continue to hold such office and perform
19 such duties until a county appraiser is appointed under the provisions of
20 this act. ~~No person shall be appointed to the office of county or district~~
21 ~~appraiser or to fill a vacancy therein unless such person is currently:~~

22 (A) ~~A certified general real property appraiser pursuant to article 41~~
23 ~~of chapter 58 of the Kansas Statutes Annotated, and amendments thereto;~~
24 ~~or~~

25 (B) ~~a registered mass appraiser pursuant to rules and regulations~~
26 ~~adopted by the secretary of revenue.~~

27 (3) (6) Notwithstanding the provisions of this subsection, the board of
28 county commissioners or governing body of any unified government may
29 appoint an interim county appraiser, subject to the approval of the director
30 of property valuation, for a period not to exceed six months to fill a
31 vacancy in the office of county appraiser pending the appointment of an
32 eligible county appraiser under the provisions of this act.

33 (b) ~~The secretary of revenue~~ director of property valuation shall
34 adopt rules and regulations necessary:

35 (1) To establish qualifications for the designation of a registered mass
36 appraiser; and

37 (2) for the transition of a person appointed with a provisional
38 appointment to become certified as a regular appraiser eligible for
39 appointment as a county appraiser.

40 (c) On and after July 1, ~~2023~~ 2026, all appraisal courses necessary to
41 qualify for the designation of a registered mass appraiser ~~or to qualify as a~~
42 ~~regular appraiser~~ and all continuing education appraisal courses necessary
43 to retain such designation ~~or certification~~ shall be courses:

1 (1) Developed by the director of property valuation specifically
2 related to the administration of the assessment and tax laws of the state; or

3 (2) approved by the Kansas real estate appraisal board pursuant to
4 K.S.A. 58-4105, and amendments thereto.

5 Sec. 2. K.S.A. 19-432 is hereby amended to read as follows: 19-432.

6 (a) The director of property valuation shall maintain a current list of
7 persons eligible to be appointed to the office of *certified as a regular*
8 appraiser. Periodic issuance of this list shall constitute the official list of
9 eligible Kansas appraisers who are candidates for appointment. ~~Inclusion~~
10 ~~on this list shall be made dependent upon successful completion of a~~
11 ~~written examination as adopted and administered by the director.~~

12 (b) The director of property valuation shall be required to conduct
13 training courses annually for the purpose of training appraisal candidates.
14 ~~These courses shall be designed to prepare students to successfully~~
15 ~~complete the written examinations required for eligible Kansas appraiser~~
16 ~~status.~~

17 (c) Once certified, an eligible Kansas appraiser may retain that status
18 only through successful completion of additional appraisal courses at
19 intervals as determined by the director of property valuation. The director
20 shall be required to conduct training courses annually for the purpose of
21 providing the additional curriculum required for retention of Kansas
22 appraiser status. The director may accept appraisal courses approved by
23 the Kansas real estate appraisal board pursuant to K.S.A. 58-4105, and
24 amendments thereto, as an alternative to courses conducted by the
25 director's office to fulfill this requirement for the maintenance of eligible
26 Kansas appraiser status.

27 (1) After notice and an opportunity to be heard in accordance with the
28 provisions of the Kansas administrative procedure act, the director of
29 property valuation may remove any person from the list of persons eligible
30 to be appointed to the office of appraiser for any of the following acts or
31 omissions:

32 (A) Failing to meet the minimum qualifications established by this
33 section;

34 (B) a plea of guilty or nolo contendere to, or conviction of: (i) Any
35 crime involving moral turpitude; or (ii) any felony charge; or

36 (C) entry of a final civil judgment against the person on grounds of
37 fraud, misrepresentation or deceit in the making of any appraisal of real or
38 personal property.

39 (2) Any person removed from the list of persons eligible to be
40 appointed to the office of county appraiser under the provisions of this
41 section shall immediately forfeit the office of county or district appraiser.

42 (3) An appeal may be taken to the state board of tax appeals from any
43 final action of the director of property valuation under the provisions of

1 this section pursuant to K.S.A. 74-2438, and amendments thereto.

2 (4) The director of property valuation may relist a person as an
3 eligible county appraiser upon a showing of mitigating circumstances,
4 restitution or expungement.

5 (d) The board of county commissioners or governing body of any
6 unified government of each county shall immediately notify the director of
7 property valuation when a person no longer holds the office of county
8 appraiser for such county. The notification shall be made on a form
9 provided by the director. If the person no longer holds the office of county
10 appraiser before the expiration of a four-year term or the person does not
11 complete a four-year term, then the notification shall include the reason
12 therefor, unless otherwise precluded by law. The director shall make a
13 notation on any eligibility list record of the person when the person no
14 longer holds the office of county appraiser before the expiration of a four-
15 year term or the person does not complete a four-year term.

16 Sec. 3. K.S.A. 19-430 and 19-432 are hereby repealed.

17 Sec. 4. This act shall take effect and be in force from and after its
18 publication in the statute book.