

# SENATE BILL 117

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01r0087

(PRE-FILED)

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By: **Chair, Finance Committee (By Request – Departmental – Labor)**

Requested: September 23, 2019

Introduced and read first time: January 8, 2020

Assigned to: Finance

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Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: January 28, 2020

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Real Estate Appraisers and Real Estate Appraiser Trainees – Licenses and**  
3 **Certificates – Experience, Renewal, and Reinstatement Requirements**

4 FOR the purpose of altering the number of hours of experience required of an applicant to  
5 qualify for a real estate appraisal license or a certificate for residential or general  
6 real estate appraisal; altering the time period during which an individual may apply  
7 for reinstatement of a license to provide real estate appraisal services or a certificate  
8 to provide certified real estate appraisal services; authorizing the State Commission  
9 of Real Estate Appraisers, Appraisal Management Companies, and Home Inspectors  
10 to reinstate a certain license or a certain certificate under certain circumstances;  
11 altering the number of terms for which a real estate appraiser trainee license may  
12 be renewed; repealing a provision of law requiring a real estate appraiser trainee  
13 licensee to pay a certain fee to renew a license; requiring the Commission to reinstate  
14 the license of a real estate appraiser trainee if the trainee meets certain  
15 requirements; and generally relating to real estate appraisers and real estate  
16 appraiser trainees.

17 BY repealing and reenacting, without amendments,  
18 Article – Business Occupations and Professions  
19 Section 16–302(a), 16–503(a), and 16–5A–04(a)  
20 Annotated Code of Maryland  
21 (2018 Replacement Volume and 2019 Supplement)

22 BY repealing and reenacting, with amendments,

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 Article – Business Occupations and Professions  
 2 Section 16–302(d), 16–310, 16–503(b), 16–512, and 16–5A–04(b)(1)  
 3 Annotated Code of Maryland  
 4 (2018 Replacement Volume and 2019 Supplement)

5 BY adding to  
 6 Article – Business Occupations and Professions  
 7 Section 16–5A–05  
 8 Annotated Code of Maryland  
 9 (2018 Replacement Volume and 2019 Supplement)

10 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,  
 11 That the Laws of Maryland read as follows:

12 **Article – Business Occupations and Professions**

13 16–302.

14 (a) To qualify for a real estate appraisal license, an applicant shall be an  
 15 individual who meets the requirements of this section.

16 (d) (1) An applicant shall satisfy the minimum real estate appraiser  
 17 qualifications for licensure established under the federal Financial Institutions Reform,  
 18 Recovery, and Enforcement Act of 1989.

19 (2) An applicant shall have completed at least ~~12,000~~ **1,000** hours ~~THE~~  
 20 ~~MINIMUM NUMBER OF HOURS SET BY THE COMMISSION IN REGULATION~~ providing  
 21 real estate appraiser services as a real estate appraiser trainee under the supervision of a  
 22 certified appraiser.

23 (3) Classroom hours of study required by this section may be conducted by:

24 (i) an accredited university, college, or community or junior college;

25 (ii) an approved appraisal society, institute, or association; or

26 (iii) another school that the Commission approves.

27 (4) The Commission shall approve all courses of study required under this  
 28 section.

29 16–310.

30 (A) The Commission shall reinstate the license of a real estate appraiser who has  
 31 failed to renew the license, if the real estate appraiser:

1           (1) applies to the Commission for reinstatement within [2] 3 years after  
2 the license expires;

3           (2) meets the requirements of § 16–308 of this subtitle; and

4           (3) in addition to the renewal fee required under § 16–308 of this subtitle,  
5 pays to the Commission a reinstatement fee set by the Commission.

6           **(B) (1) IF AN INDIVIDUAL FAILS TO RENEW A LICENSE FOR ANY REASON  
7 AND APPLIES TO THE COMMISSION FOR REINSTATEMENT MORE THAN 3 YEARS  
8 AFTER THE LICENSE HAS EXPIRED, THE COMMISSION MAY:**

9                       **(I) REQUIRE THE INDIVIDUAL TO REAPPLY FOR A LICENSE  
10 UNDER § 16–302 OF THIS SUBTITLE; OR**

11                      **(II) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION,  
12 REINSTATE THE LICENSE.**

13                      **(2) THE COMMISSION MAY REINSTATE A LICENSE UNDER  
14 PARAGRAPH (1)(II) OF THIS SUBSECTION ONLY IF THE INDIVIDUAL:**

15                      **(I) MEETS THE RENEWAL REQUIREMENTS OF § 16–308 OF THIS  
16 SUBTITLE;**

17                      **(II) IF REQUIRED BY THE COMMISSION, STATES THE REASONS  
18 WHY REINSTATEMENT SHOULD BE GRANTED; AND**

19                      **(III) IN ADDITION TO THE RENEWAL FEE REQUIRED UNDER §  
20 16–308 OF THIS SUBTITLE, PAYS TO THE COMMISSION A REINSTATEMENT FEE SET  
21 BY THE COMMISSION.**

22 16–503.

23           (a) To qualify for a certificate for residential or general real estate appraisal, an  
24 applicant shall be an individual who meets the requirements of this section.

25           (b) (1) An applicant shall:

26                      (i) be of good character and reputation;

27                      (ii) be at least 18 years old; and

28                      (iii) satisfy the minimum real estate appraiser qualifications for  
29 residential certification or general certification, as appropriate, established under the  
30 federal Financial Institutions Reform, Recovery, and Enforcement Act of 1989.

(2) An applicant shall have completed at least ~~1,000~~ 1,500 hours ~~THE~~  
~~MINIMUM NUMBER OF HOURS SET BY THE COMMISSION IN REGULATION~~ providing  
 real estate appraiser services as a real estate appraiser trainee under the supervision of a  
 certified appraiser.

(3) Classroom hours of study required under this section may be conducted  
 by:

(i) an accredited university, college, or community or junior college;

(ii) an approved appraisal society, institute, or association; or

(iii) another school that the Commission approves.

(4) The Commission shall approve all courses of study required under this  
 section.

16-512.

**(A)** The Commission shall reinstate the certificate of a real estate appraiser who  
 has failed to renew the certificate during the regular term of the certificate or the grace  
 period, if the real estate appraiser:

(1) applies to the Commission for reinstatement within ~~[2]~~ 3 years after  
 the certificate expires;

(2) meets the requirements of § 16-511 of this subtitle; and

(3) in addition to the renewal fee required under § 16-511 of this subtitle,  
 pays to the Commission a reinstatement fee set by the Commission.

**(B) (1) IF AN INDIVIDUAL FAILS TO RENEW A CERTIFICATE FOR ANY  
 REASON AND APPLIES TO THE COMMISSION FOR REINSTATEMENT MORE THAN 3  
 YEARS AFTER THE CERTIFICATE HAS EXPIRED, THE COMMISSION MAY:**

**(I) REQUIRE THE INDIVIDUAL TO REAPPLY FOR A CERTIFICATE  
 UNDER § 16-505 OF THIS SUBTITLE; OR**

**(II) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION,  
 REINSTATE THE CERTIFICATE.**

**(2) THE COMMISSION MAY REINSTATE A CERTIFICATE UNDER  
 PARAGRAPH (1)(II) OF THIS SUBSECTION ONLY IF THE INDIVIDUAL:**

**(I) MEETS THE RENEWAL REQUIREMENTS OF § 16-511 OF THIS  
 SUBTITLE;**

1                   **(II) IF REQUIRED BY THE COMMISSION, STATES THE REASONS**  
2 **WHY REINSTATEMENT SHOULD BE GRANTED; AND**

3                   **(III) IN ADDITION TO THE RENEWAL FEE REQUIRED UNDER §**  
4 **16-511 OF THIS SUBTITLE, PAYS TO THE COMMISSION A REINSTATEMENT FEE SET**  
5 **BY THE COMMISSION.**

6 16-5A-04.

7           (a) Unless a real estate appraiser trainee license is renewed under this section,  
8 the license expires 3 years after the effective date of the license.

9           (b) (1) Before a real estate appraiser trainee license expires, the licensee  
10 **PERIODICALLY** may renew the license for [one] AN additional 3-year term if the licensee:

11                   (i) is otherwise entitled to be licensed; **AND**

12                   (ii) [pays to the Commission a renewal fee set by the Commission;  
13 and

14                   (iii)] submits to the Commission:

15                               1. a renewal application on the form that the Commission  
16 requires; and

17                               2. adequate evidence that the licensee meets the minimum  
18 continuing education requirements established under the federal Financial Institutions  
19 Reform, Recovery, and Enforcement Act of 1989.

20 **16-5A-05.**

21           **THE COMMISSION SHALL REINSTATE THE LICENSE OF A REAL ESTATE**  
22 **APPRAISER TRAINEE WHO FAILS TO RENEW THE LICENSE IF THE REAL ESTATE**  
23 **APPRAISER TRAINEE:**

24                   **(1) APPLIES TO THE COMMISSION FOR REINSTATEMENT WITHIN 3**  
25 **YEARS AFTER THE LICENSE EXPIRES;**

26                   **(2) PROVIDES ADEQUATE EVIDENCE OF COMPLIANCE WITH THE**  
27 **CONTINUING EDUCATION REQUIREMENTS UNDER § 16-5A-04 OF THIS SUBTITLE**  
28 **FOR LICENSE RENEWAL;**

29                   **(3) IF REQUIRED BY THE COMMISSION, STATES THE REASONS WHY**  
30 **REINSTATEMENT SHOULD BE GRANTED; AND**

1                   (4)   PAYS TO THE COMMISSION A REINSTATEMENT FEE SET BY THE  
2   COMMISSION.

3                   SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
4   October 1, 2020.

Approved:

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Governor.

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President of the Senate.

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Speaker of the House of Delegates.