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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETIETH SESSION

H. F. No. **2829**

02/20/2018 Authored by O'Driscoll, Theis and Rosenthal
The bill was read for the first time and referred to the Committee on Commerce and Regulatory Reform
03/15/2018 Adoption of Report: Amended and re-referred to the Committee on Government Operations and Elections Policy

1.1 A bill for an act
1.2 relating to commerce; regulating real estate appraisals; creating an advisory board;
1.3 prescribing its duties; amending Minnesota Statutes 2016, section 13D.08, by
1.4 adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter
1.5 82B.

1.6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.7 Section 1. Minnesota Statutes 2016, section 13D.08, is amended by adding a subdivision
1.8 to read:

1.9 Subd. 19. Real Estate Appraisal Advisory Board. Certain meetings of the Real Estate
1.10 Appraisal Advisory Board are governed by section 82B.073, subdivision 5.

1.11 Sec. 2. [82B.073] REAL ESTATE APPRAISAL ADVISORY BOARD.

1.12 Subdivision 1. Creation; appointments. (a) The Real Estate Appraisal Advisory Board
1.13 is created and composed of seven persons appointed by the commissioner. Members are
1.14 appointed to the board subject to the following conditions:

1.15 (1) members must currently be, and have been for the past five years, residents of this
1.16 state;

1.17 (2) the membership of the board must reasonably reflect the geographic distribution of
1.18 the population of this state;

1.19 (3) one member must be currently licensed as, and have been actively engaged and in
1.20 good standing for the past five years as, a certified general real property appraiser;

1.21 (4) two members must be currently licensed as, and have been actively engaged and in
1.22 good standing for the past five years as, a certified residential real property appraiser;

2.1 (5) one member must be currently licensed as, and have been actively engaged and in
2.2 good standing for the past five years as, a real estate appraiser and as a real estate broker
2.3 or salesperson under chapter 82;

2.4 (6) one member must represent appraisal management companies, as defined in section
2.5 82C.02, subdivision 4, as evidenced by the member's employment with an appraisal
2.6 management company;

2.7 (7) one member must represent the interests of the general public and have knowledge
2.8 of the real estate business; and

2.9 (8) the commissioner must be a member.

2.10 (b) In making appointments under paragraph (a), clauses (3) and (4), the commissioner
2.11 must consider recommendations by members and the Minnesota chapters of any nationally
2.12 recognized real estate appraisal organization.

2.13 (c) In making the appointment under paragraph (a), clause (5), the commissioner must
2.14 consider recommendations by members and organizations representing the real estate
2.15 industry.

2.16 (d) In making the appointment under paragraph (a), clause (6), the commissioner must
2.17 consider recommendations by members and appraisal management companies.

2.18 Subd. 2. **Terms.** The terms, compensation, and removal of members are governed by
2.19 section 15.059. Members are limited to serving two full terms on the board. The board does
2.20 not expire.

2.21 Subd. 3. **Quorum.** A majority of the board members constitutes a quorum. A vacancy
2.22 in the membership of the board does not impair the right of a quorum to exercise all of the
2.23 rights and perform all of the duties of the board.

2.24 Subd. 4. **Meetings.** The board shall meet at least quarterly and may be convened by the
2.25 chairperson or by three members of the board upon ten days' written notice.

2.26 Subd. 5. **Open meetings.** Meetings of the board shall comply with chapter 13D.

2.27 Subd. 6. **Officers.** The board shall, annually at the first meeting of the fiscal year, elect
2.28 a chair from its members. The chair shall preside over the meetings and shall coordinate
2.29 with the commissioner in developing and distributing an agenda for each meeting.

2.30 Subd. 7. **Commissioner's report.** The commissioner shall provide a quarterly report to
2.31 the board that includes a summarized list of:

3.1 (1) appraisal courses and seminars that were not approved for continuing education
3.2 credit and the reason for the denial; and

3.3 (2) public disciplinary actions taken by the commissioner against a real estate appraiser.

3.4 Subd. 8. **Duties.** The board shall advise, provide input, and suggest best practices to the
3.5 commissioner regarding real estate appraisers, including, but not limited to, licensing, public
3.6 disciplinary matters, continuing education, and industry-related trends.

3.7 **Sec. 3. FIRST MEETING OF REAL ESTATE APPRAISAL ADVISORY BOARD.**

3.8 The commissioner of commerce shall convene the first meeting of the Real Estate
3.9 Appraisal Advisory Board under Minnesota Statutes, section 82B.073. All other meetings
3.10 shall be convened in accordance with Minnesota Statutes, section 82B.073, subdivision 4.