

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 1st Session of the 60th Legislature (2025)

4 COMMITTEE SUBSTITUTE
FOR
5 HOUSE BILL NO. 1646

By: Sneed of the House

6 and

7 **Reinhardt** of the Senate

11 COMMITTEE SUBSTITUTE

12 An Act relating to professions and occupations;
13 amending 59 O.S. 2021, Sections 858-712 and 858-723,
14 which relate to real estate appraisers; removing
minimum educational classroom hours; requiring
15 educational requirements as specified by the
Appraiser Qualifications Board of the Appraisal
16 Foundation; removing requirement that cost of classes
be established by the Board; removing requirement
17 that complaints must be signed by the person filing
the complaint; providing that complaints may be made
on a paper or electronic form; and providing an
effective date.

19 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

22 SECTION 1. AMENDATORY 59 O.S. 2021, Section 858-712, is
23 amended to read as follows:

1 Section 858-712. A. State Certified General Appraiser - As a
2 prerequisite to taking the examination for certification as a State
3 Certified General Appraiser, an applicant shall present satisfactory
4 evidence to the Real Estate Appraiser Board that such applicant has
5 successfully completed the minimum educational requirement specified
6 by the Appraiser Qualification Criteria promulgated by the Appraiser
7 Qualifications Board of the Appraisal Foundation of courses in
8 subjects related to real estate appraisal from a nationally
9 recognized appraisal organization or college or university or
10 technology center school or private school approved by the Board and
11 such classes shall be made available on a regional basis throughout
12 the State of Oklahoma prior to the required examination date which
13 must include classroom hours related to standards of professional
14 practice.

15 B. State Certified Residential Appraiser - As a prerequisite to
16 taking the examination for certification as a State Certified
17 Residential Appraiser, an applicant shall present satisfactory
18 evidence to the Board that such applicant has successfully completed
19 the minimum educational requirement specified by the Appraiser
20 Qualification Criteria promulgated by the Appraiser Qualifications
21 Board of the Appraisal Foundation of courses in subjects related to
22 real estate appraisal from a nationally recognized appraisal
23 organization or college or university or technology center school or
24 private school approved by the Board and such classes shall be made

1 available on a regional basis throughout this state prior to the
2 required examination date which must include classroom hours related
3 to standards of professional practice.

4 C. State Licensed Appraiser - As a prerequisite to taking the
5 examination for certification as a State Licensed Appraiser, an
6 applicant shall present satisfactory evidence to the Board that such
7 applicant has successfully completed the minimum education
8 requirement specified by the Appraiser Qualification Criteria
9 promulgated by the Appraiser Qualifications Board of the Appraisal
10 Foundation of courses in subjects related to real estate appraisal
11 from a nationally recognized appraisal organization or a college or
12 university or technology center school or private school approved by
13 the Board and such classes shall be made available on a regional
14 basis throughout the State of Oklahoma prior to the required
15 examination date which must include classroom hours related to
16 standards of professional practice. Provided, that any appraiser
17 who becomes state licensed prior to July 1, 2001, shall not be
18 required to complete any additional classroom hours necessary to
19 meet the minimum requirements of the Appraiser Qualifications Board
20 of the Appraisal Foundation in order to maintain certification as a
21 state licensed appraiser.

22 D. Trainee Appraiser - There shall be no examination for
23 certification as a Trainee Appraiser. As a prerequisite to
24 certification as a Trainee Appraiser, an applicant shall present

1 satisfactory evidence to the Board that such applicant has
2 successfully completed ~~not less than seventy five (75) classroom~~
3 ~~hours~~ the minimum education requirement specified by the Appraiser
4 Qualification Criteria promulgated by the Appraiser Qualifications
5 Board of the Appraisal Foundation of courses in subjects related to
6 real estate appraisal from a nationally recognized appraisal
7 organization or a college or university or area technology center
8 school or private school approved by the Board and such classes
9 shall be made available on a regional basis throughout the State of
10 Oklahoma prior to the required examination date ~~with the cost of the~~
11 ~~classes being established by the Board~~ which must include classroom
12 hours related to standards of professional practice ~~the minimum~~
13 ~~educational requirement specified by the Appraiser Qualification~~
14 ~~Criteria promulgated by the Appraiser Qualifications Board of the~~
15 ~~Appraisal Foundation.~~

16 SECTION 2. AMENDATORY 59 O.S. 2021, Section 858-723, is
17 amended to read as follows:

18 Section 858-723. A. The Real Estate Appraiser Board, after
19 notice and opportunity for a hearing, pursuant to Article II of the
20 Administrative Procedures Act, may issue an order imposing one or
21 more of the following penalties whenever the Board finds, by clear
22 and convincing evidence, that a certificate holder has violated any
23 provision of the Oklahoma Certified Real Estate Appraisers Act, or
24 rules promulgated pursuant thereto:

1 1. Revocation of the certificate with or without the right to
2 reapply;

3 2. Suspension of the certificate for a period not to exceed
4 five (5) years;

5 3. Probation, for a period of time and under such terms and
6 conditions as deemed appropriate by the Board;

7 4. Stipulations, limitations, restrictions, and conditions
8 relating to practice;

9 5. Censure, including specific redress, if appropriate;

10 6. Reprimand, either public or private;

11 7. Satisfactory completion of an educational program or
12 programs;

13 8. Administrative fines as authorized by the Oklahoma Certified
14 Real Estate Appraisers Act; and

15 9. Payment of costs expended by the Board for any legal fees
16 and costs and probation and monitoring fees including, but not
17 limited to, administrative costs, witness fees and attorney fees.

18 B. 1. Any administrative fine imposed as a result of a
19 violation of the Oklahoma Certified Real Estate Appraisers Act or
20 the rules of the Board promulgated pursuant thereto shall not:

21 a. be less than Fifty Dollars (\$50.00) and shall not
22 exceed Two Thousand Dollars (\$2,000.00) for each
23 violation of this act or the rules of the Board, or

b. exceed Five Thousand Dollars (\$5,000.00) for all violations resulting from a single incident or transaction.

2. All administrative fines shall be paid within thirty (30) days of notification of the certificate holder by the Board of the member of the Board imposing the administrative fine, unless the certificate holder has entered into an agreement with the Board extending the period for payment.

9 3. The certificate may be suspended until any fine imposed upon
10 the licensee by the Board is paid.

11 4. Unless the certificate holder has entered into an agreement
12 with the Board extending the period for payment, if fines are not
13 paid in full by the licensee within thirty (30) days of the
14 notification by the Board of the order, the fines shall double and
15 the certificate holder shall have an additional thirty-day period.
16 If the double fine is not paid within the additional thirty-day
17 period, the certificate shall automatically be revoked.

18 5. All monies received by the Board as a result of the
19 imposition of the administrative fine provided for in this section
20 shall be deposited in the Oklahoma Certified Real Estate Appraisers
21 Revolving Fund created pursuant to Section 858-730 of this title.

22 C. The rights of any holder under a certificate as a trainee,
23 state licensed, state certified residential or state certified
24 general real estate appraiser may be revoked or suspended, or the

holder of the certificate may be otherwise disciplined pursuant to the provisions of the Oklahoma Certified Real Estate Appraisers Act, upon any of the grounds set forth in this section. The Board may investigate the actions of a trainee, state licensed, state certified residential or state certified general real estate appraiser, and may revoke or suspend the rights of a certificate holder or otherwise discipline a trainee, state licensed, state certified residential or state certified general real estate appraiser for any of the following acts or omissions:

1. Procuring or attempting to procure a certificate pursuant to the provisions of the Oklahoma Certified Real Estate Appraisers Act by knowingly making a false statement, knowingly submitting false information, refusing to provide complete information in response to a question in an application for certification or through any form of fraud or misrepresentation;

2. Failing to meet the minimum qualifications established pursuant to the provisions of the Oklahoma Certified Real Estate Appraisers Act;

3. Paying money other than provided for by the Oklahoma Certified Real Estate Appraisers Act to any member or employee of the Board to procure a certificate pursuant to the Oklahoma Certified Real Estate Appraisers Act;

4. A conviction, including a conviction based upon a plea of guilty or nolo contendere, of a felony crime that substantially

1 relates to the practice of real estate appraisals or poses a
2 reasonable threat to public safety;

3 5. An act or omission involving dishonesty, fraud, or
4 misrepresentation with the intent to substantially benefit the
5 certificate holder or another person or with the intent to
6 substantially injure another person;

7 6. Violation of any of the standards for the development or
8 communication of real estate appraisals as provided in the Oklahoma
9 Certified Real Estate Appraisers Act;

10 7. Failure or refusal without good cause to exercise reasonable
11 diligence in developing an appraisal, preparing an appraisal report
12 or communicating an appraisal;

13 8. Negligence or incompetence in developing an appraisal, in
14 preparing an appraisal report, or in communicating an appraisal;

15 9. Willfully disregarding or violating any of the provisions of
16 the Oklahoma Certified Real Estate Appraisers Act or the regulations
17 of the Board for the administration and enforcement of the
18 provisions of the Oklahoma Certified Real Estate Appraisers Act;

19 10. Accepting an appraisal assignment when the employment
20 itself is contingent upon the appraiser reporting a predetermined
21 estimate, analysis or opinion, or where the fee to be paid is
22 contingent upon the opinion, conclusion, or valuation reached, or
23 upon the consequences resulting from the appraisal assignment;

1 11. Violating the confidential nature of governmental records
2 to which the appraiser gained access through employment or
3 engagement as an appraiser by a governmental agency;

4 12. Entry of a final civil judgment against the person on
5 grounds of deceit, fraud, or willful or knowing misrepresentation in
6 the making of any appraisal of real property;

7 13. Violating any of the provisions in the code of ethics set
8 forth in this ~~act~~ title; or

9 14. Failing to at any time properly identify themselves
10 according to the specific type of certification held.

11 D. In a disciplinary proceeding based upon a civil judgment,
12 the trainee, state licensed, state certified residential or state
13 certified general real estate appraiser shall be afforded an
14 opportunity to present matters in mitigation and extenuation, but
15 may not collaterally attack the civil judgment.

16 E. 1. A complaint may be filed with the Board against a
17 trainee or state licensed or state certified appraiser for any
18 violations relating to a specific transaction of the Oklahoma
19 Certified Real Estate Appraisers Act by any person who is the
20 recipient of, relies upon or uses an appraisal prepared for a
21 federally related transaction or real-estate-related financial
22 transaction as described in Section 858-701 of this title.

23 2. Any person with knowledge of any circumstances surrounding
24 an act or omission by a trainee or state licensed or state certified

1 appraiser involving fraud, dishonesty or misrepresentation in any
2 real property valuation-related activity, not limited to federally
3 related transactions, may file a complaint with the Board setting
4 forth all facts surrounding the act or omission.

5 3. A complaint may be filed against a trainee or state licensed
6 or state certified appraiser directly by the Board, if reasonable
7 cause exists for violations of the code of ethics set forth in this
8 act.

9 4. Any complaint filed pursuant to this subsection shall be in
10 writing ~~and signed by the person filing same~~ and shall be on a form
11 approved by the Board, either in paper form or filed electronically.
12 The trainee or state licensed or state certified appraiser shall be
13 entitled to any hearings or subject to any disciplinary proceedings
14 provided for in the Oklahoma Certified Real Estate Appraisers Act
15 based upon any complaint filed pursuant to this subsection.

16 F. As used in this section:

17 1. "Substantially relates" means the nature of criminal conduct
18 for which the person was convicted has a direct bearing on the
19 fitness or ability to perform one or more of the duties or
20 responsibilities necessarily related to the occupation; and

21 2. "Poses a reasonable threat" means the nature of criminal
22 conduct for which the person was convicted involved an act or threat
23 of harm against another and has a bearing on the fitness or ability
24 to serve the public or work with others in the occupation.

1 SECTION 3. This act shall become effective November 1, 2025.

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3 COMMITTEE REPORT BY: COMMITTEE ON COMMERCE AND ECONOMIC DEVELOPMENT
OVERSIGHT, dated 03/05/2025 - DO PASS, As Amended and Coauthored.

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