

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 31 Session of 2015

INTRODUCED BY GRELL, COHEN, WATSON, MARSICO, JAMES, A. HARRIS, GILLEN, MILLARD, MURT, M. K. KELLER, EVERETT, DeLUCA, DAVIS, PETRI, GIBBONS, ROZZI AND MOUL, JANUARY 28, 2015

AS REPORTED FROM COMMITTEE ON PROFESSIONAL LICENSURE, HOUSE OF REPRESENTATIVES, AS AMENDED, MAY 12, 2015

AN ACT

1 Amending the act of July 10, 1990 (P.L.404, No.98), entitled "An
2 act providing for the certification of real estate
3 appraisers; specifying requirements for certification;
4 providing for sanctions and penalties; and making an
5 appropriation," further providing for powers and duties of
6 the State Board of Certified Real Estate Appraisers, for
7 application and qualifications, for reciprocity and for
8 certification renewal, licensure renewal and records.

9 The General Assembly of the Commonwealth of Pennsylvania
10 hereby enacts as follows:

11 Section 1. Section 5 of the act of July 10, 1990 (P.L.404,
12 No.98), known as the Real Estate Appraisers Certification Act,
13 is amended by adding paragraphs A PARAGRAPH to read: <--

14 Section 5. Powers and duties of board.

15 THE BOARD SHALL HAVE THE FOLLOWING POWERS AND DUTIES: <--

16 * * *

17 ~~(11) To require each initial applicant for licensed <--~~
18 ~~appraiser trainee, certified residential appraiser or~~
19 ~~certified general appraiser to submit to fingerprinting by~~
20 ~~the Pennsylvania State Police. The Pennsylvania State Police~~

~~shall submit the fingerprints to the Federal Bureau of Investigation for purposes of verifying the identity of the individual and obtaining records of criminal arrests and convictions. The board shall consider information obtained pursuant to this paragraph for the purpose of screening applicants for fitness for licensure or certification in accordance with the provisions of this act and the Real Property Appraiser Qualification Criteria of the Appraiser Qualifications Board of the Appraisal Foundation. National criminal history record information received by the board shall be handled or maintained in accordance with Federal Bureau of Investigation policy.~~

~~(12)~~ (11) To the extent required by standards and regulations for the qualifications of appraisers promulgated pursuant to the Financial Institutions Reform, Recovery, and Enforcement Act of 1989, to consider criminal history record information of CONVICTIONS AND arrests that do not result in a conviction, notwithstanding the provisions of 18 Pa.C.S. § 9124(b)(1) (relating to use of records by licensing agencies). <--

Section 2. Section 6(c) of the act, amended October 9, 2008 (P.L.1380, No.103), is amended to read:

Section 6. Application and qualifications.

* * *

(c) Application.--An applicant for certification or license shall submit a written application on forms provided by the board[. The application and any and all documentation submitted with the application shall be subscribed and sworn to before a notary public. The applicant shall be held responsible for the statements contained in the application. The making of a false

1 statement in an application may constitute a ground for
2 certification or license denial or revocation. The application
3 shall evidence] that includes information subject to the
4 penalties for false swearing set forth in 18 Pa.C.S. § 4903
5 (relating to false swearing) or unsworn falsification to
6 authorities set forth in 18 Pa.C.S. § 4904 (relating to unsworn
7 falsification to authorities) and which demonstrates that:

8 (1) [He or she] The applicant is of good moral
9 character.

10 (2) [His or her application has been accompanied by] The
11 applicant has paid the application fee.

12 (3) The applicant has satisfied requirements of the <--
13 Pennsylvania State Police and the Federal Bureau of
14 Investigation for dissemination to the board of criminal
15 history record information required by the Appraiser
16 Qualifications Board of the Appraisal Foundation.

17 (4) The applicant has satisfied the qualifications for
18 licensure as an appraiser trainee or certification as a
19 residential real estate appraiser or general real estate
20 appraiser required by:

21 (i) This act.

22 (ii) The regulations of the board.

23 (iii) The Real Property Appraiser Qualification
24 Criteria of the Appraiser Qualifications Board of the
25 Appraisal Foundation.

26 * * *

27 Section 3. Section 7 of the act is amended to read:

28 Section 7. Reciprocity.

29 The board shall have the power to grant a reciprocal
30 certification to an applicant who is certified [or licensed] as

1 an appraiser or licensed as an appraiser trainee in another
2 state and has demonstrated qualifications which equal or exceed
3 those required pursuant to this act in the determination of the
4 board[, provided that no certificate shall be granted under this
5 section to an applicant unless the state in which the applicant
6 is certified or licensed affords reciprocal treatment to persons
7 who are residents of this Commonwealth and who are certified
8 pursuant to this act].

9 Section 4. Section 10 of the act is amended by adding a
10 subsection to read:

11 Section 10. Certification renewal, licensure renewal and
12 records.

13 * * *

14 (b.2) Continuing education for licensed appraiser
15 trainees.--Licensed appraiser trainees shall be subject to the
16 same continuing education requirements for licensure renewal as
17 residential and general appraisers, but any qualifying education
18 completed after the issuance of the license and during the
19 biennial licensure period may also be applied to satisfy the
20 licensed appraiser trainee's continuing education requirements
21 under this subsection.

22 * * *

23 Section 5. This act shall take effect in 60 days.