

MAR 12 1997

Place On Calendar

HOUSE FILE 577  
BY COMMITTEE ON STATE GOVERNMENT

(SUCCESSOR TO HSB 207)

Passed House, Date 3/26/97 (p.538) Passed Senate, Date 4-16-97 (p.1202)  
Vote: Ayes 99 Nays 0 Vote: Ayes 48 Nays 0  
Approved April 23, 1997

A BILL FOR

1 An Act relating to continuing education requirements of real  
2 estate appraisers.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24

HF 577

1 Section 1. Section 543D.16, subsection 2, Code 1997, is  
2 amended to read as follows:  
3 2. The basic continuing education requirement for renewal  
4 of certification shall be the completion, ~~during-the~~  
5 ~~immediately-preceding-term~~ before June 30 of the year in which  
6 the appraiser's certificate expires, of the number of  
7 ~~classroom~~ hours of instruction required by the board in  
8 courses or seminars which have received the ~~approval~~  
9 preapproval of the board. Instructional hours by  
10 correspondence and home study courses claimed by an appraiser  
11 shall not exceed fifty percent of the required hours of  
12 instruction necessary for renewal.

13 EXPLANATION

14 The bill amends Code section 543D.16 to provide that  
15 continuing education requirements for renewal of a real estate  
16 appraiser's certification must be completed by June 30 of the  
17 year in which the certificate expires. The section is also  
18 amended to provide that instructional hours by correspondence  
19 or home study courses shall not exceed 50 percent of the  
20 required number of instructional hours.

21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35

## HOUSE FILE 577

S-3456

1 Amend House File 577, as passed by the House, as  
2 follows:

3 1. Page 1, by inserting before line 1 the  
4 following:

5 "Sec. 101. Section 543B.29, unnumbered paragraph  
6 1, Code 1997, is amended to read as follows:

7 A license to practice the profession of real estate  
8 broker and salesperson may be revoked or suspended, or  
9 a licensee may be otherwise disciplined by the  
10 commission, when the licensee is guilty of the  
11 following acts or offenses:

12 Sec. 102. Section 543B.29, Code 1997, is amended  
13 by adding the following new subsection:

14 NEW SUBSECTION. 12. Noncompliance with the  
15 appraisal requirements in chapter 543D when providing  
16 an appraisal.

17 Sec. 103. Section 543B.29, unnumbered paragraph 3,  
18 Code 1997, is amended to read as follows:

19 A real estate broker or salesperson who is an owner  
20 or lessor of property or an employee of an owner or  
21 lessor may have the broker's or salesperson's license  
22 revoked or suspended, or may be otherwise disciplined  
23 by the commission, for violations of this section or  
24 section 543B.34, except subsections 4, 5, 6, and 9,  
25 with respect to that property.

26 Sec. 104. Section 543D.1, Code 1997, is amended to  
27 read as follows:

28 543D.1 SHORT TITLE.

29 This chapter shall be known and may be cited as the  
30 "Iowa Voluntary Appraisal Standards and Appraiser  
31 Certification Law".

32 Sec. 105. Section 543D.3, Code 1997, is amended to  
33 read as follows:

34 543D.3 PURPOSES -- VOLUNTARY CERTIFICATION.

35 The purpose of this chapter is to establish  
36 standards for real estate appraisals and a procedure  
37 for the voluntary certification of real estate  
38 appraisers.

39 ~~A person who is not a certified real estate~~  
40 ~~appraiser under this chapter may appraise real estate~~  
41 ~~for compensation if certification is not required by~~  
42 ~~this chapter or by federal or state law, rule, or~~  
43 ~~policy~~ Except as otherwise provided in this chapter,  
44 only a certified appraiser, designated broker, or  
45 broker associate as defined in section 543B.5 may  
46 charge a fee for conducting an appraisal.

47 Sec. 106. Section 543D.4, subsections 3 and 4,  
48 Code 1997, are amended to read as follows:

49 3. Each A real estate appraiser member of the  
50 board appointed after January 17, 1992, must be a

S-3456

-1-

S-3456

Page 2

1 certified real estate appraiser. The governor shall  
2 attempt to represent each class of certified  
3 appraisers in making the appointments.

4 4. The term of each member is three years; ~~except~~  
5 ~~that, of the members first appointed, two shall be~~  
6 ~~appointed for two years and two shall be appointed for~~  
7 ~~one year.~~"

8 2. Page 1, by inserting after line 12 the  
9 following:

10 "Sec. 107. NEW SECTION. 543D.20 EXCLUSIONS FROM  
11 APPLICABILITY OF CHAPTER.

12 This chapter does not apply to the following:

13 1. An individual licensed under chapter 543B who  
14 does not provide an appraisal, but who in the ordinary  
15 course of business provides an opinion of value,  
16 valuation, analysis, or a recommendation of price or  
17 pricing of real estate in the pursuit of a listing,  
18 when the opinion is provided to assist a potential  
19 purchaser in developing a purchase offer or to provide  
20 a broker's price opinion, whether or not the opinion  
21 is provided for a fee. Providing an opinion pursuant  
22 to this subsection is not subject to the uniform  
23 standard of performance appraisal procedures.

24 In addition to other individuals as provided, this  
25 chapter applies to a broker associate, or a designated  
26 broker, as defined in section 543B.5, who renders an  
27 appraisal or opinion of value, which must conform to  
28 the uniform standards of professional appraisal  
29 practices adopted by the appraisal foundation, and for  
30 purposes other than federally realted transactions as  
31 defined in Title XI of the federal Financial  
32 Institutions Reform, Recovery, and Enforcement Act of  
33 1989, or as defined in the United States office of  
34 management and budget circular A-129, as amended, or  
35 the rules or regulations adopted pursuant to that  
36 circular.

37 2. a. An employee of any of the following:

38 (1) The federal government.

39 (2) The state, or any agency, department, or  
40 political subdivision of the state.

41 (3) A financial institution as defined in section  
42 535A.1.

43 b. Notwithstanding paragraph "a", an employee of  
44 an entity identified in paragraph "a" who also  
45 practices as an independent real estate appraiser is  
46 subject to this chapter and shall comply with the  
47 requirements of this chapter prior to engaging in such  
48 other real estate appraising.

49 Sec. 108. EFFECTIVE DATE. Sections 101 through  
50 107 of this Act are effective July 1, 1998."

S-3456

-2-

S-3456

Page 3

- 1 3. Title page, line 1, by inserting after the
- 2 word "education" the following: "and other".
- 3 4. Title page, line 2, by inserting after the
- 4 word "appraisers" the following: ", brokers and
- 5 salespersons".
- 6 5. By renumbering as necessary.

By ROBERT DVORSKY

S-3456 FILED APRIL 9, 1997

*w/d 4-16-97 (p.1202)*

## HOUSE FILE 577

S-3452

1 Amend House File 577, as passed by the House, as  
2 follows:

3 1. Page 1, by inserting before line 1 the  
4 following:

5 "Sec. 101. Section 543B.29, unnumbered paragraph  
6 1, Code 1997, is amended to read as follows:

7 A license to practice the profession of real estate  
8 broker and salesperson may be revoked or suspended, or  
9 a licensee may be otherwise disciplined by the  
10 commission, when the licensee is guilty of the  
11 following acts or offenses:

12 Sec. 102. Section 543B.29, Code 1997, is amended  
13 by adding the following new subsection:

14 NEW SUBSECTION. 12. Noncompliance with the  
15 appraisal requirements in chapter 543D when providing  
16 an appraisal.

17 Sec. 103. Section 543B.29, unnumbered paragraph 3,  
18 Code 1997, is amended to read as follows:

19 A real estate broker or salesperson who is an owner  
20 or lessor of property or an employee of an owner or  
21 lessor may have the broker's or salesperson's license  
22 revoked or suspended, or may be otherwise disciplined  
23 by the commission, for violations of this section or  
24 section 543B.34, except subsections 4, 5, 6, and 9,  
25 with respect to that property.

26 Sec. 104. Section 543D.1, Code 1997, is amended to  
27 read as follows:

28 543D.1 SHORT TITLE.

29 This chapter shall be known and may be cited as the  
30 "Iowa Voluntary Appraisal Standards and Appraiser  
31 Certification Law".

32 Sec. 105. Section 543D.3, Code 1997, is amended to  
33 read as follows:

34 543D.3 PURPOSES -- VOLUNTARY CERTIFICATION.

35 The purpose of this chapter is to establish  
36 standards for real estate appraisals and a procedure  
37 for the voluntary certification of real estate  
38 appraisers.

39 ~~A person who is not a certified real estate~~  
40 ~~appraiser under this chapter may appraise real estate~~  
41 ~~for compensation if certification is not required by~~  
42 ~~this chapter or by federal or state law, rule, or~~  
43 ~~policy~~ Except as otherwise provided in this chapter,  
44 only a certified appraiser, designated broker, or  
45 broker associate as defined in section 543B.5 may  
46 charge a fee for conducting an appraisal.

47 Sec. 106. Section 543D.4, subsections 3 and 4,  
48 Code 1997, are amended to read as follows:

49 3. ~~Each~~ A real estate appraiser member of the  
50 board ~~appointed after January 17, 1992,~~ must be a

S-3452

S-3452

Page 2

1 certified real estate appraiser. The governor shall  
2 attempt to represent each class of certified  
3 appraisers in making the appointments.

4 4. The term of each member is three years, ~~except~~  
5 ~~that, of the members first appointed, two shall be~~  
6 ~~appointed for two years and two shall be appointed for~~  
7 ~~one year.~~"

8 2. Page 1, by inserting after line 12 the  
9 following:

10 "Sec. 107. NEW SECTION. 543D.20 EXCLUSIONS FROM  
11 APPLICABILITY OF CHAPTER.

12 This chapter does not apply to the following:

13 1. An individual licensed under chapter 543B who  
14 does not provide an appraisal, but who in the ordinary  
15 course of business provides an opinion of value,  
16 valuation, analysis, or a recommendation of price or  
17 pricing of real estate in the pursuit of a listing,  
18 when the opinion is provided to assist a potential  
19 purchaser in developing a purchase offer or to provide  
20 a broker's price opinion, whether or not the opinion  
21 is provided for a fee. Providing an opinion pursuant  
22 to this subsection is not subject to the uniform  
23 standard of performance appraisal procedures.

24 2. In addition to other individuals as provided,  
25 this chapter applies to a broker associate, or a  
26 designated broker, as defined in section 543B.5, who  
27 renders an appraisal or opinion of value, which must  
28 conform to the uniform standards of professional  
29 appraisal practices adopted by the appraisal  
30 foundation, and for purposes other than federally  
31 realted transactions as defined in Title XI of the  
32 federal Financial Institutions Reform, Recovery, and  
33 Enforcement Act of 1989, or as defined in the United  
34 States office of management and budget circular A-129,  
35 as amended, or the rules or regulations adopted  
36 pursuant to that circular.

37 3. a. An employee of any of the following:

38 (1) The federal government.

39 (2) The state, or any agency, department, or  
40 political subdivision of the state.

41 (3) A financial institution as defined in section  
42 535A.1.

43 b. Notwithstanding paragraph "a", an employee of  
44 an entity identified in paragraph "a" who also  
45 practices as an independent real estate appraiser is  
46 subject to this chapter and shall comply with the  
47 requirements of this chapter prior to engaging in such  
48 other real estate appraising.

49 Sec. 108. EFFECTIVE DATE. Sections 101 through  
50 107 of this Act are effective July 1, 1998."

S-3452

-2-

S-3452

Page 3

- 1 3. Title page, line 1, by inserting after the
- 2 word "education" the following: "and other".
- 3 4. Title page, line 2, by inserting after the
- 4 word "appraisers" the following: ", brokers and
- 5 salespersons".
- 6 5. By renumbering as necessary.

By ROBERT DVORSKY

S-3452 FILED APRIL 9, 1997

*w/d 4-16-97 (p.1202)*

Van Fossen, chair  
Churchill  
Lutels

HSB 207

STATE GOVERNMENT

HOUSE FILE SF (11) S77

BY (PROPOSED COMMITTEE ON  
STATE GOVERNMENT BILL  
BY CHAIRPERSON MARTIN)

Passed House, Date \_\_\_\_\_ Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

A BILL FOR

1 An Act relating to continuing education requirements of real  
2 estate appraisers.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23

1 Section 1. Section 543D.16, subsection 2, Code 1997, is  
2 amended to read as follows:

3 2. The basic continuing education requirement for renewal  
4 of certification shall be the completion, ~~during-the~~  
5 immediately-preceding-term before June 30 of the year in which  
6 the appraiser's certificate expires, of the number of  
7 ~~classroom~~ hours of instruction required by the board in  
8 courses or seminars which have received the ~~approval~~  
9 preapproval of the board. Instructional hours by  
10 correspondence and home study courses claimed by an appraiser  
11 shall not exceed fifty percent of the required hours of  
12 instruction necessary for renewal.

13 EXPLANATION

14 The bill amends Code section 543D.16 to provide that  
15 continuing education requirements for renewal of a real estate  
16 appraiser's certification must be completed by June 30 of the  
17 year in which the certificate expires. The section is also  
18 amended to provide that instructional hours by correspondence  
19 or home study courses shall not exceed 50 percent of the  
20 required number of instructional hours.

21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35

shall not exceed fifty percent of the required hours of instruction necessary for renewal.

HOUSE FILE 577

AN ACT

RELATING TO CONTINUING EDUCATION REQUIREMENTS OF REAL ESTATE APPRAISERS.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. Section 543D.16, subsection 2, Code 1997, is amended to read as follows:

2. The basic continuing education requirement for renewal of certification shall be the completion, ~~during-the immediately-preceding-term~~ before June 30 of the year in which the appraiser's certificate expires, of the number of ~~classroom~~ hours of instruction required by the board in courses or seminars which have received the ~~approval~~ preapproval of the board. Instructional hours by correspondence and home study courses claimed by an appraiser

---

RON J. CORBETT  
Speaker of the House


---

MARY E. KRAMER  
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 577, Seventy-seventh General Assembly.

---

ELIZABETH ISAACSON  
Chief Clerk of the House

Approved , 1997

---

TERRY E. BRANSTAD  
Governor