

FIRST REGULAR SESSION

[PERFECTED]

HOUSE BILL NO. 987

94TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE WASSON.

Read 1st time February 26, 2007 and copies ordered printed.

Read 2nd time February 27, 2007 and referred to the Special Committee on Professional Registration and Licensing February 27, 2007.

Reported from the Special Committee on Professional Registration and Licensing March 8, 2007 with recommendation that the bill Do Pass-Federal Mandate. Referred to the Committee on Rules pursuant to Rule 25(21)(f).

Reported from the Committee on Rules March 15, 2007 with recommendation that the bill Do Pass-Federal Mandate.

Taken up for Perfection April 4, 2007. Bill ordered Perfected and printed.

D. ADAM CRUMBLISS, Chief Clerk

2476L.01P

AN ACT

To repeal sections 339.519 and 339.525, RSMo, and to enact in lieu thereof three new sections relating to real estate appraisers.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Sections 339.519 and 339.525, RSMo, are repealed and three new sections
2 enacted in lieu thereof, to be known as sections 339.510, 339.519, and 339.525, to read as
3 follows:

**339.510. 1. The chairperson of the commission may administer oaths, issue
2 subpoenas, and issue subpoenas duces tecum requiring the production of documents and
3 records. Subpoenas and subpoenas duces tecum shall be served by a person authorized to
4 serve subpoenas of courts of record. In lieu of requiring attendance of a person to produce
5 original documents in response to a subpoena duces tecum, the commission may require
6 sworn copies of such documents to be filed with it or delivered to its designated
7 representative.**

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

8 **2. The commission may enforce its subpoenas and subpoenas duces tecum by**
9 **applying to the circuit court of Cole County; the county of the investigation, hearing, or**
10 **proceeding; or any county where the person subpoenaed resides or may be found, for an**
11 **order to show cause why such subpoena should not be enforced, such order and a copy of**
12 **the application therefore to be served upon the person in the same manner as a summons**
13 **in a civil action, and if the circuit court shall, after a hearing, determine that the subpoena**
14 **should be sustained and enforced, such court shall proceed to enforce the subpoena in the**
15 **same manner as though the subpoena had been issued in a civil case in the circuit court.**

339.519. 1. The term of an original certificate or license issued pursuant to sections
2 339.500 to 339.549 shall be for a period set by the commission. All certificates and licenses
3 shall be subject to renewal on the same date. The expiration date of the certificate or license
4 shall appear on the certificate or license and no other notice of its expiration need be given to its
5 holder.

6 2. The commission shall require every state-certified or state-licensed real estate
7 appraiser to provide satisfactory evidence of the completion of the required continuing education
8 hours as promulgated by the appraiser qualifications board. [The commission may waive the
9 requirements of continuing education for retired or disabled licensed or certified appraisers or
10 for other good cause.]

339.525. 1. To obtain a renewal certificate or license, a state certified real estate
2 appraiser or state licensed real estate appraiser shall make application and pay the prescribed fee
3 to the commission not earlier than one hundred twenty days nor later than thirty days prior to the
4 expiration date of the certificate or license then held. With the application for renewal, the state
5 certified real estate appraiser or state licensed real estate appraiser shall present evidence in the
6 form prescribed by the commission of having completed the continuing education requirements
7 for renewal specified in section 339.530.

8 2. If the commission determines that a state certified real estate appraiser or state
9 licensed real estate appraiser has failed to meet the requirements for renewal of certification or
10 licensure through mistake, misunderstanding, or circumstances beyond the appraiser's control,
11 the commission may extend the term of the certificate or license for good cause shown for a
12 period not to exceed six months, upon payment of a prescribed fee for the extension.

13 3. [If a state certified real estate appraiser or state licensed real estate appraiser satisfies
14 the requirements for renewal during the extended term of certification or licensure, the beginning
15 date of the new renewal certificate or license shall be the day following the expiration of the
16 certificate or license previously held by the state certified real estate appraiser or state licensed
17 real estate appraiser.

18 4.] If a person is otherwise eligible to renew the person's certification or license, the
19 person may renew an expired certification or license within [one year] **two years** from the date
20 of expiration. To renew such expired certification or license, the person shall submit an
21 application for renewal, pay the renewal fee [and] , pay a delinquent renewal fee as established
22 by the commission, **and present evidence in the form prescribed by the commission of**
23 **having completed the continuing education requirements for renewal specified in section**
24 **339.530.** Upon a finding of extenuating circumstances, the commission may waive the payment
25 of the delinquent fee.

26 [5.] **4.** If a person has failed to renew the person's license within [one year] **two years**
27 of its expiration[, the person may renew such expired certification or license by completing either
28 the number of hours of continuing education equal to fifty percent of the hours required for initial
29 certification or licensure or pass the state examination for such classification, submit an
30 application for renewal, pay the renewal fee and pay a delinquent renewal fee not to exceed an
31 amount as established by the commission. Upon a finding of extenuating circumstances, the
32 commission may waive the payment of the delinquent fee] **the license shall be void.**

33 **5. The commission is authorized to issue an inactive certificate or license to any**
34 **licensee who makes written application for such on a form provided by the commission and**
35 **remits the fee for an inactive certificate or license established by the commission. An**
36 **inactive certificate or license may be issued only to a person who has previously been issued**
37 **a certificate or license to practice as a real estate appraiser in this state, who is no longer**
38 **regularly engaged in such practice, and who does not hold himself or herself out to the**
39 **public as being professionally engaged in such practice in this state. Each inactive**
40 **certificate or license shall be subject to all provisions of this chapter, except as otherwise**
41 **specifically provided. Each inactive certificate or license may be renewed by the**
42 **commission subject to all provisions of this section and all other provisions of this chapter.**
43 **An inactive licensee may apply for a certificate or license to regularly engage in the**
44 **practice of real estate appraising upon filing a written application on a form provided by**
45 **the commission, submitting the reactivation fee established by the commission, and**
46 **submitting satisfactory proof of current competency as established by the commission.**

47 [6. If a state certified real estate appraiser or state licensed real estate appraiser renews
48 an expired certification or license pursuant to subsection 5 of this section, the beginning date of
49 the new term of certification or licensure shall be the day following the expiration of the
50 certification or license term previously held by the state certified real estate appraiser or state
51 licensed real estate appraiser.]

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