

**COMMITTEE AMENDMENT**  
HOUSE OF REPRESENTATIVES  
State of Oklahoma

SPEAKER:

CHAIR:

I move to amend HB1646 \_\_\_\_\_  
Of the printed Bill  
Page \_\_\_\_\_ Section \_\_\_\_\_ Lines \_\_\_\_\_  
Of the Engrossed Bill

By deleting the content of the entire measure, and by inserting in lieu thereof the following language:  
C

**AMEND TITLE TO CONFORM TO AMENDMENTS**

Adopted: \_\_\_\_\_

Amendment submitted by: Chris Sneed \_\_\_\_\_

\_\_\_\_\_  
Reading Clerk

1 STATE OF OKLAHOMA

2 1st Session of the 60th Legislature (2025)

3 PROPOSED POLICY  
4 COMMITTEE SUBSTITUTE  
5 FOR  
6 HOUSE BILL NO. 1646

By: Sneed

7 PROPOSED POLICY COMMITTEE SUBSTITUTE

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

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

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

23 Section 858-712. A. State Certified General Appraiser - As a  
24 prerequisite to taking the examination for certification as a State  
25 Certified General Appraiser, an applicant shall present satisfactory  
26 evidence to the Real Estate Appraiser Board that such applicant has  
27 successfully completed the minimum educational requirement specified  
28 by the Appraiser Qualification Criteria promulgated by the Appraiser

1 Qualifications Board of the Appraisal Foundation of courses in  
2 subjects related to real estate appraisal from a nationally  
3 recognized appraisal organization or college or university or  
4 technology center school or private school approved by the Board and  
5 such classes shall be made available on a regional basis throughout  
6 the State of Oklahoma prior to the required examination date which  
7 must include classroom hours related to standards of professional  
8 practice.

9 B. State Certified Residential Appraiser - As a prerequisite to  
10 taking the examination for certification as a State Certified  
11 Residential Appraiser, an applicant shall present satisfactory  
12 evidence to the Board that such applicant has successfully completed  
13 the minimum educational requirement specified by the Appraiser  
14 Qualification Criteria promulgated by the Appraiser Qualifications  
15 Board of the Appraisal Foundation of courses in subjects related to  
16 real estate appraisal from a nationally recognized appraisal  
17 organization or college or university or technology center school or  
18 private school approved by the Board and such classes shall be made  
19 available on a regional basis throughout this state prior to the  
20 required examination date which must include classroom hours related  
21 to standards of professional practice.

22 C. State Licensed Appraiser - As a prerequisite to taking the  
23 examination for certification as a State Licensed Appraiser, an  
24 applicant shall present satisfactory evidence to the Board that such

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

16 D. Trainee Appraiser - There shall be no examination for  
17 certification as a Trainee Appraiser. As a prerequisite to  
18 certification as a Trainee Appraiser, an applicant shall present  
19 satisfactory evidence to the Board that such applicant has  
20 successfully completed ~~not less than seventy-five (75) classroom~~  
21 hours the minimum education requirement specified by the Appraiser  
22 Qualification Criteria promulgated by the Appraiser Qualifications  
23 Board of the Appraisal Foundation of courses in subjects related to  
24 real estate appraisal from a nationally recognized appraisal

1 organization or a college or university or area technology center  
2 school or private school approved by the Board and such classes  
3 shall be made available on a regional basis throughout the State of  
4 Oklahoma prior to the required examination date ~~with the cost of the~~  
5 ~~classes being established by the Board~~ which must include classroom  
6 hours related to standards of professional practice ~~the minimum~~  
7 ~~educational requirement specified by the Appraiser Qualification~~  
8 ~~Criteria promulgated by the Appraiser Qualifications Board of the~~  
9 ~~Appraisal Foundation.~~

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

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

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

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

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

1 4. Stipulations, limitations, restrictions, and conditions  
2 relating to practice;

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

4 6. Reprimand, either public or private;

5 7. Satisfactory completion of an educational program or  
6 programs;

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

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

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

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

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

21 2. All administrative fines shall be paid within thirty (30)  
22 days of notification of the certificate holder by the Board of the  
23 order of the Board imposing the administrative fine, unless the  
24

1 certificate holder has entered into an agreement with the Board  
2 extending the period for payment.

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

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

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

16 C. The rights of any holder under a certificate as a trainee,  
17 state licensed, state certified residential or state certified  
18 general real estate appraiser may be revoked or suspended, or the  
19 holder of the certificate may be otherwise disciplined pursuant to  
20 the provisions of the Oklahoma Certified Real Estate Appraisers Act,  
21 upon any of the grounds set forth in this section. The Board may  
22 investigate the actions of a trainee, state licensed, state  
23 certified residential or state certified general real estate  
24 appraiser, and may revoke or suspend the rights of a certificate

1 holder or otherwise discipline a trainee, state licensed, state  
2 certified residential or state certified general real estate  
3 appraiser for any of the following acts or omissions:

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

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

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

17 4. A conviction, including a conviction based upon a plea of  
18 guilty or nolo contendere, of a felony crime that substantially  
19 relates to the practice of real estate appraisals or poses a  
20 reasonable threat to public safety;

21 5. An act or omission involving dishonesty, fraud, or  
22 misrepresentation with the intent to substantially benefit the  
23 certificate holder or another person or with the intent to  
24 substantially injure another person;

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

4           7. Failure or refusal without good cause to exercise reasonable  
5 diligence in developing an appraisal, preparing an appraisal report  
6 or communicating an appraisal;

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

9           9. Willfully disregarding or violating any of the provisions of  
10 the Oklahoma Certified Real Estate Appraisers Act or the regulations  
11 of the Board for the administration and enforcement of the  
12 provisions of the Oklahoma Certified Real Estate Appraisers Act;

13           10. Accepting an appraisal assignment when the employment  
14 itself is contingent upon the appraiser reporting a predetermined  
15 estimate, analysis or opinion, or where the fee to be paid is  
16 contingent upon the opinion, conclusion, or valuation reached, or  
17 upon the consequences resulting from the appraisal assignment;

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

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

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

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

5 D. In a disciplinary proceeding based upon a civil judgment,  
6 the trainee, state licensed, state certified residential or state  
7 certified general real estate appraiser shall be afforded an  
8 opportunity to present matters in mitigation and extenuation, but  
9 may not collaterally attack the civil judgment.

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

17 2. Any person with knowledge of any circumstances surrounding  
18 an act or omission by a trainee or state licensed or state certified  
19 appraiser involving fraud, dishonesty or misrepresentation in any  
20 real property valuation-related activity, not limited to federally  
21 related transactions, may file a complaint with the Board setting  
22 forth all facts surrounding the act or omission.

23 3. A complaint may be filed against a trainee or state licensed  
24 or state certified appraiser directly by the Board, if reasonable

1 cause exists for violations of the code of ethics set forth in this  
2 act.

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

10 F. As used in this section:

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

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

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

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21 60-1-12266 JL 01/28/25

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