

1                   **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2                                   STATE OF OKLAHOMA

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

4 COMMITTEE SUBSTITUTE  
5 FOR  
6 HOUSE BILL NO. 1646

By: Sneed of the House

and

**Reinhardt** of the Senate

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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  
15                   minimum educational classroom hours; requiring  
16                   educational requirements as specified by the  
17                   Appraiser Qualifications Board of the Appraisal  
18                   Foundation; removing requirement that cost of classes  
19                   be established by the Board; removing requirement  
20                   that complaints must be signed by the person filing  
21                   the complaint; providing that complaints may be made  
22                   on a paper or electronic form; and providing an  
23                   effective date.

24  
BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1.            AMENDATORY           59 O.S. 2021, Section 858-712, is  
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
- 24

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

4           2.   All administrative fines shall be paid within thirty (30)  
5 days of notification of the certificate holder by the Board of the  
6 order of the Board imposing the administrative fine, unless the  
7 certificate holder has entered into an agreement with the Board  
8 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

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

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

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

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

23 4. A conviction, including a conviction based upon a plea of  
24 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;

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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.

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

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