

SESSION OF 2014

SUPPLEMENTAL NOTE ON SENATE BILL NO. 352

As Amended by Senate Committee of the Whole

Brief*

SB 352, as amended, would authorize the Kansas Real Estate Appraisal Board to begin fingerprinting certain individuals seeking licenses. Specifically, the Board, in order to perform state and national criminal history records checks, would be allowed to require individuals to be fingerprinted, including:

- Any individual seeking an original license or certification; licensure by reciprocity or endorsement; or renewal of a license or certification; or
- A currently licensed or certified individual, if necessary, to investigate a complaint, or if required by the Appraisal Subcommittee.

The bill also would amend current law requiring that a state certified or licensed appraiser shall comply with the uniform standards of professional appraisal practice, adding reference to the 2014-2015 edition, or with such standards in later versions, as established in rules and regulations by the Board.

Background

The Executive Director of the Kansas Real Estate Appraisal Board spoke in favor of the bill that was requested by the Board. It was noted pursuant to new federal standards,

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

if a state licensing agency does not begin fingerprinting and performing criminal background checks on new license applicants by January 1, 2015, the Board (the state licensing agency) would be out of compliance with the new federal requirements, and anyone issued a new license in Kansas after January 1, 2015, would not be able to perform appraisals involving federally-related housing transactions.

The Executive Director noted the bill is necessary in order to comply with the new federal requirements adopted by the Appraiser Qualifications Board (AQB) and the Appraisal Subcommittee (ASC) of the Federal Financial Institutions Examination Council, both of which have authority over state appraisers' licensing and qualifications.

No other conferees appeared before the Senate Committee on Federal and State Affairs regarding this bill.

The Senate Committee of the Whole amendment would clarify that the Board through rules and regulations could update a reference to later versions of the 2014-2015 edition of the Uniform Standards of Professional Appraisal Practice promulgated according to federal law.

The fiscal note indicated that all new fees for fingerprinting and criminal history checks would be paid by the license applicants directly to the Kansas Bureau of Investigation (KBI), and the Board stated the bill would have no net fiscal effect on the agency. The KBI was unable to estimate the fiscal effect the passage of the bill would have on the agency, according to the fiscal note.