

AMENDED IN ASSEMBLY MARCH 27, 2007

CALIFORNIA LEGISLATURE—2007—08 REGULAR SESSION

ASSEMBLY BILL

No. 709

Introduced by Assembly Member Keene

February 22, 2007

An act to add Section 11329 to the Business and Professions Code, relating to real estate.

LEGISLATIVE COUNSEL'S DIGEST

AB 709, as amended, Keene. Real estate appraisers.

Existing law, the federal Financial Institution Reform, Recovery and Enforcement Act of 1989, prohibits the criteria established by the federal financial institutions regulatory agencies, among other organizations, from excluding a certified or licensed appraiser for consideration for an assignment solely by virtue of membership or lack of membership in any appraisal organization.

Existing law, the Real Estate Appraisers' Licensing and Certification Law, provides for the licensure and regulation of real estate appraisers.

~~This bill would authorize a public agency, as defined, to contract with a~~ *provide that when a public agency, including, but not limited to, a city or county, decides that a contract with a designated member of a state or nationally recognized an appraisal organization is necessary to provide an appraisal of real property, any designated member of any appraisal organization that is a member of the Appraisal Foundation shall be allowed to submit a proposal if specified criteria are met.*

By requiring a city or county, among others, to allow those members to submit a proposal, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: ~~no~~-yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 11329 is added to the Business and
2 Professions Code, to read:

3 11329. (a) Notwithstanding any other provision of law, *when*
4 ~~a public agency may contract with a member of a state or nationally~~
5 ~~recognized appraisal organization to provide an appraisal of real~~
6 *agency decides that a contract with a designated member of an*
7 *appraisal organization is necessary to provide an appraisal of*
8 *real property, any designated member of any appraisal*
9 *organization that is a member of the Appraisal Foundation shall*
10 *be allowed to submit a proposal if both of the following*
11 *requirements are met:*

12 (1) The member has at least five years of experience as a
13 licensed appraiser *at a certified level*. A member with a license *at*
14 *a certified level* issued by another state shall obtain a reciprocal
15 license ~~or a temporary practice permit~~ *at a certified level* pursuant
16 to the regulations adopted by the director.

17 (2) The appraisal is performed pursuant to the Uniform
18 Standards of Professional Appraisal Practice.

19 (b) For purposes of this section, “public agency” means the state
20 or any city, county, city and county, district, or other local authority
21 or public body of or within the state.

22 SEC. 2. *If the Commission on State Mandates determines that*
23 *this act contains costs mandated by the state, reimbursement to*
24 *local agencies and school districts for those costs shall be made*

1 *pursuant to Part 7 (commencing with Section 17500) of Division*
2 *4 of Title 2 of the Government Code.*

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