

AMENDED IN SENATE JUNE 1, 2016
AMENDED IN ASSEMBLY JANUARY 25, 2016
AMENDED IN ASSEMBLY MARCH 26, 2015
CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 1381

Introduced by Assembly Member Weber

February 27, 2015

An act to amend Section ~~11340~~ 11317.2 of the Business and Professions Code, relating to professions and vocations.

LEGISLATIVE COUNSEL'S DIGEST

AB 1381, as amended, Weber. Real estate appraisers.

Existing ~~law~~ *law, the Real Estate Appraisers' Licensing and Certification Law*, provides for the ~~licensure, certification,~~ *licensure* and regulation of persons who engage in specified real estate appraisal activity by the Chief of the Bureau of Real Estate Appraisers. ~~Existing law requires the chief to adopt regulations governing the process and the procedure of applying for a license, including, but not limited to, necessary experience or education, equivalency, and minimum requirements of the Appraisal Foundation. Existing law requires, for purposes of the educational background requirements, the chief to grant credits for any courses taken on real estate appraisal ethics or practices, as specified.~~

~~This bill would also require, for purposes of the educational background requirements, the chief to require education in valuing sustainable real estate assets.~~

~~Existing law prohibits a person from engaging in real estate appraisal activity without obtaining a license issued by the Bureau of Real Estate~~

(formerly the Office of Real Estate Appraisers). Existing law requires a licensee to complete specified continuing education requirements in order to renew a license. Existing law requires the bureau to provide on the Internet information regarding, among other things, the status of every license and registration issued by the bureau.

This bill would additionally require the bureau to provide, on the Internet, information regarding the continuing education courses taken by a licensee in order to renew a license to engage in real estate activity. The bill would also make various nonsubstantive changes.

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

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

1 SECTION 1. Section 11317.2 of the Business and Professions
 2 Code is amended to read:
 3 11317.2. (a) (1) In addition to publishing the summary
 4 required by Section 11317, the ~~office~~ bureau shall provide on the
 5 Internet information regarding the status of every license and
 6 registration issued by the ~~office~~ bureau in accordance with the
 7 California Public Records Act (Chapter 3.5 (commencing with
 8 Section 6250) of Division 7 of Title 1 of the Government Code)
 9 and the Information Practices Act of 1977 (Chapter 1 (commencing
 10 with Section 1798) of Title 1.8 of Part 4 of Division 3 of the Civil
 11 Code). The public information to be provided on the Internet shall
 12 include information on suspensions and revocations of licenses
 13 and registrations issued by the ~~office~~ bureau and accusations filed
 14 pursuant to the Administrative Procedure Act (Chapter 3.5
 15 (commencing with Section 11340) of Part 1 of Division 3 of Title
 16 2 of the Government Code) relative to persons or businesses subject
 17 to licensure, registration, or regulation by the ~~office~~ bureau. The
 18 information shall not include personal information, including home
 19 telephone number, date of birth, or social security number. The
 20 ~~office~~ bureau shall disclose a licensee’s or registrant’s address of
 21 record. However, the ~~office~~ bureau shall allow a licensee or
 22 registrant to provide a post office box number or other alternate
 23 address, instead of his or her home address, as the address of
 24 record. This section shall not preclude the ~~office~~ bureau from also
 25 requiring a licensee or registrant who has provided a post office
 26 box number or other alternative mailing address as his or her

1 address of record to provide a physical business address or
2 residence address only for the ~~office's~~ *bureau's* internal
3 administrative use and not for disclosure as the licensee's or
4 registrant's address of record or disclosure on the Internet.

5 (2) *In addition to the information required by subdivision (a),*
6 *the bureau shall provide, on the Internet, information regarding*
7 *the continuing education courses taken by a licensee in order to*
8 *renew a license to engage in real estate appraisal activity.*

9 (b) ~~The office~~ *bureau* shall not provide on the Internet
10 identifying information with respect to private reprovls or letters
11 of warning, which shall remain confidential.

12 (c) For purposes of this section, "Internet" has the meaning set
13 forth in paragraph (6) of subdivision (f) of Section 17538.

14 ~~SECTION 1. Section 11340 of the Business and Professions~~
15 ~~Code is amended to read:~~

16 ~~11340. The director shall adopt regulations governing the~~
17 ~~process and the procedure of applying for a license which shall~~
18 ~~include, but not be limited to, necessary experience or education,~~
19 ~~equivalency, and minimum requirements of the Appraisal~~
20 ~~Foundation, if any.~~

21 (a) ~~For purposes of the educational background requirements~~
22 ~~established under this section, the director shall do both of the~~
23 ~~following:~~

24 (1) ~~Grant credits for any courses taken on real estate appraisal~~
25 ~~ethics or practices pursuant to Section 10153.2, or which are~~
26 ~~deemed by the director to meet standards established pursuant to~~
27 ~~this part and federal law.~~

28 (2) (A) ~~Require education in valuing sustainable real estate~~
29 ~~assets.~~

30 (B) ~~For purposes of this paragraph, "sustainable real estate~~
31 ~~assets" include, but are not limited to, solar and wind power~~
32 ~~generation installations and energy efficiency measures.~~

33 (b) ~~For the purpose of implementing and applying this section,~~
34 ~~the director shall prescribe by regulation "equivalent courses" and~~
35 ~~"equivalent experience." The experience of employees of an~~
36 ~~assessor's office or of the State Board of Equalization in setting~~
37 ~~forth opinions of value of real property for tax purposes shall be~~
38 ~~deemed equivalent to experience in federally related real estate~~
39 ~~appraisal activity. Notwithstanding any other law, a holder of a~~
40 ~~valid real estate broker license shall be deemed to have completed~~

1 appraisal license application experience requirements upon proof
2 that he or she has accumulated 1,000 hours of experience in the
3 valuation of real property.
4 (e) ~~The director shall adopt regulations for licensure which shall~~
5 ~~meet, at a minimum, the requirements and standards established~~
6 ~~by the Appraisal Foundation and the federal financial institutions~~
7 ~~regulatory agencies acting pursuant to Section 1112 of the Financial~~
8 ~~Institutions Reform Recovery and Enforcement Act of 1989, Public~~
9 ~~Law 101-73 (FIRREA). The director shall, by regulation, require~~
10 ~~the application for a real estate appraiser license to include the~~
11 ~~applicant's social security number.~~
12 (d) ~~In evaluating the experience of any applicant for a license,~~
13 ~~regardless of the number of hours required of that applicant, the~~
14 ~~director shall apply the same standards to the experience of all~~
15 ~~applicants.~~
16 (e) ~~No license shall be issued to an applicant who is less than~~
17 ~~18 years of age.~~