

Senate Bill 618

Sponsored by Senator WINTERS; Senators BAERTSCHIGER JR, FERRIOLI, GEORGE, GIROD, HANSELL, JOHNSON, KNOPP, KRUSE, OLSEN, THOMSEN

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Imposes certain requirements on disciplinary hearings conducted by Appraiser Certification and Licensure Board.

A BILL FOR AN ACT

Relating to disciplinary action by the Appraiser Certification and Licensure Board.

Be It Enacted by the People of the State of Oregon:

SECTION 1. Sections 2, 3 and 4 of this 2013 Act are added to and made a part of ORS chapter 674.

SECTION 2. (1) All statements, memoranda, documents, materials and other tangible evidence submitted by a complainant to, or that are the product of an investigation conducted by, the Appraiser Certification and Licensure Board for the purpose of disciplining a state certified appraiser, a state licensed appraiser or a state registered appraiser assistant under ORS 674.140 are subject to discovery and shall be provided by the board to the certificate holder, licensee or registrant upon request.

(2) No less than two weeks before holding a contested case hearing for the purpose of disciplining a certificate holder, licensee or registrant under ORS 674.140, the board shall notify the certificate holder, licensee or registrant of the rights of a certificate holder, licensee or registrant under this section and of the process by which discovery may be requested.

SECTION 3. Notwithstanding ORS 9.160, at a contested case hearing for the purpose of disciplining a state certified appraiser, a state licensed appraiser or a state registered appraiser assistant under ORS 674.140, a certificate holder, licensee or registrant may be represented by any person designated by the certificate holder, licensee or registrant to represent the certificate holder, licensee or registrant.

SECTION 4. (1) When a state certified appraiser, a state licensed appraiser or a state registered appraiser assistant prevails at a contested case hearing held pursuant to ORS 674.140, the Appraiser Certification and Licensure Board shall pay the certificate holder, licensee or registrant for reasonable fees and costs incurred by the certificate holder, licensee or registrant during or for the hearing, including reasonable fees for the payment of representation.

(2) To receive a payment under this section, a certificate holder, licensee or registrant must submit to the board an accounting of the costs incurred by the certificate holder, licensee or registrant during or for the hearing.

SECTION 5. The Appraiser Certification and Licensure Board shall adopt rules to imple-

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

1 **ment sections 2, 3 and 4 of this 2013 Act.**

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