

House Bill 2279

Introduced and printed pursuant to House Rule 12.00. Pre-session filed (at the request of Governor Kate Brown for Department of Revenue)

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**.

Transfers to Department of Revenue sole authority for examining and registering property appraisers and setting education and experience requirements. Consolidates Property Appraiser I, II and III classifications into single Property Appraiser classification. Eliminates general knowledge examination requirement.

Takes effect on 91st day following adjournment sine die.

A BILL FOR AN ACT

1
2 Relating to registration of appraisers; amending ORS 182.425, 195.326, 308.010 and 308.015; and pre-
3 scribing an effective date.

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

5 **SECTION 1.** ORS 308.010 is amended to read:

6 308.010. (1) A registered appraiser is an individual [*who has successfully qualified and is em-*
7 *ployed pursuant to county civil service or state merit system requirements, or who is currently certified*
8 *by the Oregon Department of Administrative Services*] **who is currently registered by the Depart-**
9 **ment of Revenue** as having successfully passed an examination for Property Appraiser [*I or anal-*
10 *ogous merit system classification prepared by the Oregon Department of Administrative Services and*
11 *conducted and graded by the Oregon Department of Administrative Services or the appropriate county*
12 *civil service body*] **prepared, conducted and graded by the department.** The examination [*shall*]
13 **must** be approved by a standing five-member committee of the Oregon State Association of County
14 Assessors selected by the association for that purpose. [*In no event shall the qualifications for*
15 *Property Appraiser I be less than those applicable to state appraisal personnel of similar classification.*
16 *The Department of Revenue may revoke a registration of an appraiser for fraud or deceit in appraising*
17 *or in the securing of a certificate or for incompetence.*] **The department shall set education and**
18 **experience requirements to sit for the examination.**

19 [(2) Any person who is a registered appraiser shall upon application be given a written certificate
20 thereof by the particular civil service body that designated the necessary requirements or conducted the
21 particular examination for the applicant.]

22 [(3) The Oregon Department of Administrative Services shall set education and experience re-
23 quirements and formulate appropriate tests for the positions of Property Appraiser II and Property
24 Appraiser III, which positions shall have the basic requirement of being a Property Appraiser I.]

25 **(2) The department may revoke the registration of an appraiser for fraud or deceit in**
26 **securing registration or appraising or for incompetence.**

27 [(4)(a)] **(3)(a)** Each person who is registered as an appraiser under this section, under rules
28 adopted by the department [*of Revenue*], shall participate in a continuing education program that
29 increases technical competency. The education programs shall include any of the following:

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 (A) Basic mass appraisal and advanced mass appraisal.
- 2 (B) Residential, rural, special assessment, commercial or light-industrial appraisal.
- 3 (C) Property tax exemptions.
- 4 (D) Personal property appraisal.
- 5 (E) Ratio analysis.
- 6 (F) Computer applications.

7 (b) The department *[of Revenue]* shall determine the hourly value to be assigned to each educa-
 8 tion program and shall by rule fix the number of hours that each person must have completed prior
 9 to the date indicated under paragraph (c) of this subsection.

10 (c) Each person registered as an appraiser under this section shall submit evidence satisfactory
 11 to the department *[of Revenue]* that the person has completed continuing education requirements in
 12 accordance with rules adopted by the department *[of Revenue]* under this subsection. The evidence
 13 must be submitted on or before December 31 of the year in which the continuing education re-
 14 quirements were completed.

15 (d) If the person does not submit the evidence required under paragraph (c) of this subsection,
 16 the department *[of Revenue]* shall revoke the registration.

17 (e) The department *[of Revenue]* may adopt conditions under which continuing education re-
 18 quirements may be waived. However, continuing education requirements may not be waived by the
 19 department *[of Revenue]* for more than three consecutive years except for military service, retire-
 20 ment, disability or absence from the state or for other instances of individual hardship as determined
 21 by the department *[of Revenue]*.

22 **SECTION 2.** ORS 308.015 is amended to read:

23 308.015. (1) Any person who lacks the education and experience requirements for becoming a
 24 registered *[Property]* appraiser *[I]* may become a registered *[Property]* appraiser *[I]* if the person:

25 *[(a) First passes a general knowledge examination prepared by the Personnel Division, and con-*
 26 *ducted and graded by the division or the appropriate county civil service body which examination shall*
 27 *test the applicant's competence and aptitudes to become a registered appraiser;]*

28 *[(b)] (a) [Then] Fulfills the requirements of a training course set by the Department of Revenue,*
 29 *which training course shall not exceed two years in duration; and*

30 *[(c)] (b) After completion of the course, receives a passing grade on the written examination for*
 31 *Property Appraiser [I].*

32 (2) Any person engaged in the training course referred to in subsection *[(1)(b)] (1)(a)* of this
 33 section shall be designated as an appraiser trainee. No person may be employed by any county **or**
 34 **the department** in the position of appraiser trainee for more than two years.

35 **SECTION 3.** ORS 182.425 is amended to read:

36 182.425. (1) Every state agency that provides housing for its officers or employees shall collect
 37 a rental for such housing based on the fair rental value as determined by *[a qualified appraiser*
 38 *certified] an appraiser registered* under ORS 308.010 or licensed or certified under ORS 674.310,
 39 subject to any reductions therefrom authorized under ORS 182.435. Rentals collected under this
 40 section shall be credited to the agency's account.

41 (2) No state agency shall provide furnishings as part of any housing provided by the agency.

42 (3) Determinations of fair rental value shall be reexamined periodically but not less frequently
 43 than once every five years and the rental shall be adjusted annually by the change in real estate
 44 values, for the affected community as determined by the state agency.

45 (4) Determination of the net rental of any employee-occupied state-owned housing unit under

1 subsections (1), (2) and (3) of this section shall be considered a personnel action for purposes of ORS
2 240.086.

3 **SECTION 4.** ORS 195.326 is amended to read:

4 195.326. An appraiser certified under ORS 674.310 or [*a person*] registered under [*ORS chapter*
5 *308*] **ORS 308.010** may carry out the appraisals required by ORS 195.305 to 195.336 and sections 5
6 to 11, chapter 424, Oregon Laws 2007, sections 2 to 9 and 17, chapter 855, Oregon Laws 2009, and
7 sections 2 to 7, chapter 8, Oregon Laws 2010. The Department of Land Conservation and Develop-
8 ment is authorized to retain persons to review the appraisals.

9 **SECTION 5. This 2017 Act takes effect on the 91st day after the date on which the 2017**
10 **regular session of the Seventy-ninth Legislative Assembly adjourns sine die.**

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