

# DRAFT

## SUMMARY

Allows Appraiser Certification and Licensure Board to require training on implicit bias and state and federal fair housing laws for real estate appraisers.

Takes effect on 91st day following adjournment sine die.

## A BILL FOR AN ACT

1  
2 Relating to real estate appraisers; amending ORS 674.310; and prescribing an  
3 effective date.

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

5 **SECTION 1.** ORS 674.310 is amended to read:

6 674.310. (1) The Appraiser Certification and Licensure Board shall:

7 (a) Have the power to do all things necessary and convenient to carry  
8 into effect the provisions of this chapter, ORS 674.200 to 674.250 and the  
9 federal Act and to regulate the activities of state licensed appraisers, state  
10 certified appraisers, state registered appraiser assistants and appraisal man-  
11 agement companies to ensure that real estate appraisals conform to the law  
12 in effect on the date of the real estate appraisal activity.

13 (b) Certify or license appraisers and register appraiser assistants as nec-  
14 essary to carry out the federal Act and the purposes set forth in ORS 674.020.

15 (c) Register appraisal management companies under ORS 674.200 to  
16 674.250.

17 (d) Supervise the activities of state certified appraisers, state licensed  
18 appraisers, state registered appraiser assistants and appraisal management  
19 companies as provided in this chapter and ORS 674.200 to 674.250, to ensure  
20 that they perform real estate appraisal activity in strict conformance with

1 the provisions of this chapter and of the federal Act, and that they otherwise  
2 comply with the provisions of this chapter and ORS 674.200 to 674.250 in the  
3 conduct of their professional activities.

4 (e) Establish, keep current and, no less than annually, transmit to the  
5 Appraisal Subcommittee a roster listing state certified appraisers and state  
6 licensed appraisers.

7 (f) Collect and remit fees as required under ORS 674.250, 674.330 and  
8 674.340.

9 (2) Rules adopted by the Appraiser Certification and Licensure Board to  
10 govern real estate appraiser certification and licensure shall conform with  
11 the requirements of the federal Act. The board shall adopt rules including  
12 but not limited to:

13 (a) Establishing programs for the certification, licensure or registration  
14 of individuals who engage in real estate appraisal activity.

15 (b) Establishing educational requirements for certification or licensure  
16 of appraisers and for the registration of appraiser assistants that ensure  
17 protection of the public interest and comply with the requirements of the  
18 federal Act, **including on state and federal fair housing laws and topics**  
19 **of implicit bias, including racial bias.** Education requirements for state  
20 licensed appraisers and state certified appraisers must meet the minimum  
21 criteria established by the Appraiser Qualification Board of the Appraisal  
22 Foundation.

23 (c) Establishing a professional code of responsibility for state certified  
24 appraisers and state licensed appraisers that is in conformance with the  
25 federal Act.

26 (d) Providing for registration of out-of-state appraisers as provided for  
27 under ORS 674.120.

28 (3) An individual may not be a state licensed appraiser or a state certified  
29 appraiser unless the individual has achieved a passing grade on an exam-  
30 ination approved by the Appraisal Qualification Board of the Appraisal  
31 Foundation for the credential being sought.

1 (4) The Appraiser Certification and Licensure Board, acting through the  
2 administrator, may issue subpoenas to compel the attendance of witnesses  
3 and the production of papers, books, records, correspondence, agreements,  
4 memoranda and other material or relevant documents in investigations or  
5 proceedings pertaining to the powers and duties of the board.

6 (5) In the case of a person who refuses to respond to a subpoena issued  
7 by the Appraiser Certification and Licensure Board, the judge of the circuit  
8 court, on the application of the board administrator, shall order compliance  
9 with the board subpoena in the same manner as a proceeding for contempt  
10 for failure to respond to a subpoena of the court.

11 **SECTION 2. This 2023 Act takes effect on the 91st day after the date**  
12 **on which the 2023 regular session of the Eighty-second Legislative**  
13 **Assembly adjourns sine die.**

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