

First Regular Session
Sixty-ninth General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 13-0158.01 Chuck Brackney x2295

SENATE BILL 13-155

SENATE SPONSORSHIP

Baumgardner,

HOUSE SPONSORSHIP

Ryden,

Senate Committees
Business, Labor, & Technology

House Committees

A BILL FOR AN ACT

101 CONCERNING THE CONTINUATION OF THE BOARD OF REAL ESTATE
102 APPRAISERS, AND, IN CONNECTION THEREWITH, IMPLEMENTING
103 THE RECOMMENDATIONS OF THE 2012 SUNSET REPORT BY THE
104 DEPARTMENT OF REGULATORY AGENCIES.

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://www.leg.state.co.us/billsummaries>.)

Sunset Process - Senate Business, Labor, and Employment Committee. Section 1 of the bill continues the board of real estate

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

appraisers (board) until September 1, 2022. **Section 2** establishes that certified ad valorem appraisers certified under Colorado's regulatory statutes are not subject to regulation under the federal "Financial Institutions Reform, Recovery, and Enforcement Act of 1989". **Section 4** requires the board to adopt rules for the regulation of certified ad valorem appraisers.

Section 5 of the bill eliminates the appraiser category "registered appraiser" and creates the category "certified ad valorem appraiser", and requires the board to transfer registered appraisers from that category to the category of certified ad valorem appraisers. Such persons who are employees of a county assessor's office have until December 31, 2015, to meet any additional requirements imposed by the board.

Section 7 directs the board to adopt rules specifying the meaning of the term "moral character" for the purpose of appraiser certification and licensing. **Section 8** clarifies that an appraiser may be disciplined for past deferred judgments and for any conduct that could have been used to deny the issuance of a certificate or license.

Sections 3, 6, 9, 10, 11, 13, and 14 make conforming amendments.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** In Colorado Revised Statutes, 24-34-104, **amend**
3 (44) introductory portion and (53.5) introductory portion; **repeal** (44) (b);
4 and **add** (53.5) (c) as follows:

5 **24-34-104. General assembly review of regulatory agencies**
6 **and functions for termination, continuation, or reestablishment.**

7 (44) The following agencies, functions, or both, ~~shall~~ terminate on July
8 1, 2013:

9 (b) ~~The board of real estate appraisers, created by article 61 of title~~
10 ~~12, C.R.S.;~~

11 (53.5) The following agencies, functions, or both, ~~shall~~ terminate
12 on September 1, 2022:

13 (c) ~~THE BOARD OF REAL ESTATE APPRAISERS, CREATED BY ARTICLE~~
14 ~~61 OF TITLE 12, C.R.S.~~

1 **SECTION 2.** In Colorado Revised Statutes, **amend as it will**
2 **become effective July 1, 2013,** 12-61-701 as follows:

3 **12-61-701. Legislative declaration.** The general assembly finds,
4 determines, and declares that sections 12-61-702 to 12-61-718 are enacted
5 pursuant to the requirements of the "Real Estate Appraisal Reform
6 Amendments", Title XI of the federal "Financial Institutions Reform,
7 Recovery, and Enforcement Act of 1989", as amended. The general
8 assembly further finds, determines, and declares that sections 12-61-702
9 to 12-61-718 are intended to implement the requirements of federal law
10 in the least burdensome manner to real estate appraisers and appraisal
11 management companies. CERTIFIED AD VALOREM APPRAISERS CERTIFIED
12 UNDER THIS ARTICLE ARE NOT REGULATED BY THE FEDERAL "REAL
13 ESTATE APPRAISAL REFORM AMENDMENTS", TITLE XI OF THE FEDERAL
14 "FINANCIAL INSTITUTIONS REFORM, RECOVERY, AND ENFORCEMENT ACT
15 OF 1989", AS AMENDED, 12 U.S.C. SECS. 3331 TO 3351.

16 **SECTION 3.** In Colorado Revised Statutes, 12-61-702, **amend**
17 **as it will become effective July 1, 2013,** (1) as follows:

18 **12-61-702. Definitions.** As used in this part 7, unless the context
19 otherwise requires:

20 (1) "Appraisal", "appraisal report", or "real estate appraisal"
21 means a written or oral analysis, opinion, or conclusion relating to the
22 nature, quality, value, or utility of specified interests in, or aspects of,
23 identified real estate that is transmitted to the client upon the completion
24 of an assignment. These terms include a valuation, which is an opinion of
25 the value of real estate, and an analysis, which is a general study of real
26 estate not specifically performed only to determine value; except that the
27 terms include a valuation completed by an appraiser employee of a county

1 assessor as defined in section 39-1-102 (2), C.R.S. The terms do not
2 include an analysis, valuation, opinion, conclusion, notation, or
3 compilation of data by an officer, director, or regular salaried employee
4 of a financial institution or its affiliate, made for internal use only by the
5 financial institution or affiliate, concerning an interest in real estate that
6 is owned or held as collateral by the financial institution or affiliate and
7 that is not represented or deemed to be an appraisal except to the financial
8 institution, the agencies regulating the financial institution, and any
9 secondary markets that purchase real estate secured loans. An appraisal
10 prepared by an officer, director, or regular salaried employee of a
11 financial institution who is not ~~registered~~, licensed or certified under this
12 part 7 shall contain a written notice that the preparer is not ~~registered~~,
13 licensed or certified as an appraiser under this part 7.

14 **SECTION 4.** In Colorado Revised Statutes, 12-61-704, **amend**
15 (1) (a), (1) (b), and (1) (e) as follows:

16 **12-61-704. Powers and duties of the board - rules.** (1) In
17 addition to all other powers and duties imposed upon it by law, the board
18 has the following powers and duties:

19 (a) To promulgate and amend, as necessary, rules ~~and regulations~~
20 pursuant to article 4 of title 24, C.R.S., for the implementation and
21 administration of this part 7 and as required to comply with the federal
22 "Real Estate Appraisal Reform Amendments", Title XI of the federal
23 "Financial Institutions Reform, Recovery, and Enforcement Act of 1989",
24 and with any requirements imposed by amendments to such federal law.
25 The board shall not establish any requirements that are more stringent
26 than the requirements of any applicable federal law. CERTIFIED AD
27 VALOREM APPRAISERS ARE NOT REGULATED BY THE FEDERAL "REAL

1 ESTATE APPRAISAL REFORM AMENDMENTS", TITLE XI OF THE FEDERAL
2 "FINANCIAL INSTITUTIONS REFORM, RECOVERY, AND ENFORCEMENT ACT
3 OF 1989". THE BOARD SHALL ADOPT RULES REGARDING MINIMUM
4 QUALIFICATIONS AND STANDARDS OF PRACTICE FOR CERTIFIED AD
5 VALOREM APPRAISERS.

6 (b) To charge application, examination, and ~~registration~~, license
7 and certificate renewal fees established pursuant to section 12-61-111.5
8 from all applicants for ~~registration~~, licensure, certification, examination,
9 and renewal under this part 7. No fees received from applicants seeking
10 ~~registration~~, licensure, certification, examination, or renewal shall be
11 refunded.

12 (e) To issue, deny, or refuse to renew a ~~registration~~, license or
13 certificate pursuant to this part 7;

14 **SECTION 5.** In Colorado Revised Statutes, 12-61-706, **amend**
15 (1) (b) introductory portion, (1) (b) (III), (1) (b) (IV), (3), (5), and (9);
16 **amend as they will become effective July 1, 2013**, (1) (a), (2), and (10);
17 and **add** (1) (c) and (1) (d) as follows:

18 **12-61-706. Qualifications for licensing and certification of**
19 **appraisers - continuing education - rules.** (1) (a) The board shall, by
20 rule, prescribe requirements for the initial ~~registration~~, licensing or
21 certification of persons under this part 7 to meet the requirements of the
22 "Real Estate Appraisal Reform Amendments", Title XI of the federal
23 "Financial Institutions Reform, Recovery, and Enforcement Act of 1989",
24 as amended, and shall develop, purchase, or contract for examinations to
25 be passed by applicants. The board shall not establish any requirements
26 for initial ~~registration~~, licensing or certification that are more stringent
27 than the requirements of any applicable federal law; except that all

1 applicants shall pass an examination offered by the board. If there is no
2 applicable federal law, the board shall consider and may use as guidelines
3 the most recent available criteria published by the appraiser qualifications
4 board of the appraisal foundation or its successor organization.

5 (b) The four levels of appraiser licensure, pursuant to paragraph
6 (a) of this subsection (1), ~~shall be~~ ARE defined as follows:

7 (III) "~~Licensed appraiser~~" "CERTIFIED AD VALOREM APPRAISER"
8 means an appraiser meeting the requirements set by the board for a
9 ~~license tax~~ AD VALOREM appraiser certification;

10 (IV) "~~Registered appraiser~~" "LICENSED APPRAISER" means an
11 appraiser meeting the requirements set by the board for ~~registration~~ A
12 LICENSE.

13 (c) A COUNTY ASSESSOR OR EMPLOYEE OF A COUNTY ASSESSOR'S
14 OFFICE WHO IS A CERTIFIED AD VALOREM APPRAISER MAY NOT PERFORM
15 REAL ESTATE APPRAISALS OUTSIDE OF HIS OR HER OFFICIAL DUTIES.

16 (d) THE BOARD SHALL TRANSFER PERSONS EMPLOYED IN A COUNTY
17 ASSESSOR'S OFFICE WHO ARE REGISTERED APPRAISERS AS OF JULY 1, 2013,
18 TO THE CATEGORY OF CERTIFIED AD VALOREM APPRAISER. THE BOARD
19 SHALL ALLOW THESE PERSONS UNTIL DECEMBER 31, 2015, TO MEET ANY
20 ADDITIONAL REQUIREMENTS IMPOSED BY THE BOARD PURSUANT TO
21 SECTION 12-61-704 (1) (a), AS AMENDED.

22 (2) (a) The board shall, by rule, prescribe continuing education
23 requirements for persons ~~registered, licensed or certified under this part~~
24 7 AS CERTIFIED GENERAL APPRAISERS, CERTIFIED RESIDENTIAL
25 APPRAISERS, OR LICENSED APPRAISERS as needed to meet the requirements
26 of the "Real Estate Appraisal Reform Amendments", Title XI of the
27 federal "Financial Institutions Reform, Recovery, and Enforcement Act

1 of 1989", as amended. The board shall not establish any continuing
2 education requirements that are more stringent than the requirements of
3 any applicable law; except that all persons ~~registered~~, licensed or certified
4 under this part 7 are subject to continuing education requirements. If there
5 is no applicable federal law, the board shall consider and may use as
6 guidelines the most recent available criteria published by the appraiser
7 qualifications board of the appraisal foundation or its successor
8 organization.

9 (b) THE BOARD SHALL, BY RULE, PRESCRIBE CONTINUING
10 EDUCATION REQUIREMENTS FOR CERTIFIED AD VALOREM APPRAISERS.

11 (3) Any provision of this section to the contrary notwithstanding,
12 the criteria established by the board for the ~~registration~~, licensing or
13 certification of appraisers pursuant to this part 7 shall not include
14 membership or lack of membership in any appraisal organization.

15 (5) (a) Subject to section 12-61-714 (2), all appraiser employees
16 of county assessors shall be ~~registered~~, licensed or certified as provided
17 in subsections (1) and (2) of this section. Obtaining and maintaining a
18 ~~registration~~, license or certificate under any one of said subsections (1)
19 and (2) shall entitle an appraiser employee of a county assessor to perform
20 all real estate appraisals required to fulfill such person's official duties.

21 (b) Appraiser employees of county assessors who are employed
22 to appraise real property shall be subject to all provisions of this part 7;
23 except that appraiser employees of county assessors who are employed to
24 appraise real property shall not be subject to disciplinary actions by the
25 board on the ground that they have performed appraisals beyond their
26 level of competency when appraising real estate in fulfillment of their
27 official duties. County assessors, if ~~registered~~, licensed or certified as

1 provided in subsections (1) and (2) of this section, shall not be subject to
2 disciplinary actions by the board on the ground that they have performed
3 appraisals beyond their level of competency when appraising real estate
4 in fulfillment of their official duties.

5 (c) All reasonable costs incurred by an appraiser employee of a
6 county assessor to obtain and maintain a ~~registration~~, license or certificate
7 pursuant to this section shall be paid by the county.

8 (9) The board shall not issue an appraiser's license as referenced
9 in subparagraph ~~(HH)~~ (IV) of paragraph (b) of subsection (1) of this
10 section unless the applicant has at least twelve months appraisal
11 experience.

12 (10) (a) The board shall not issue a ~~registration~~, license or
13 certification until the applicant establishes that he or she is truthful and
14 honest and has good moral character and submits a set of fingerprints to
15 the Colorado bureau of investigation for the purpose of conducting a state
16 and national fingerprint-based criminal history record check utilizing
17 records of the Colorado bureau of investigation and the federal bureau of
18 investigation. Each person submitting a set of fingerprints shall pay the
19 fee established by the Colorado bureau of investigation for conducting the
20 fingerprint-based criminal history record check to the bureau. Upon
21 completion of the criminal history record check, the bureau shall forward
22 the results to the board. The board may require a name-based criminal
23 history record check for an applicant who has twice submitted to a
24 fingerprint-based criminal history record check and whose fingerprints
25 are unclassifiable. The board may deny an application for ~~registration~~,
26 licensure or certification based on the outcome of the criminal history
27 record check and may establish criminal history requirements more

1 stringent than those established by any applicable federal law.

2 (b) AN APPLICANT FOR CERTIFICATION AS A CERTIFIED AD
3 VALOREM APPRAISER IS NOT SUBJECT TO THE FINGERPRINTING AND
4 CRIMINAL BACKGROUND CHECK REQUIREMENTS OF PARAGRAPH (a) OF
5 THIS SUBSECTION (10).

6 **SECTION 6.** In Colorado Revised Statutes, 12-61-707, **amend**
7 (1) (a), (1) (b) (I), (1) (b) (II), (1) (b) (III), and (2); and **amend as it will**
8 **become effective July 1, 2013**, (1) (b) introductory portion as follows:

9 **12-61-707. Expiration of licenses - renewal - penalties.**

10 (1) (a) All ~~registrations~~, licenses or certificates shall expire pursuant to
11 a schedule established by the director and shall be renewed or reinstated
12 pursuant to this section. Upon compliance with this section and any
13 applicable rules of the board regarding renewal, including the payment of
14 a renewal fee plus a reinstatement fee established pursuant to paragraph
15 (b) of this subsection (1), the expired ~~registration~~, license or certificate
16 shall be reinstated. No real estate appraiser's ~~registration~~, license or
17 certificate that has not been renewed for a period greater than two years
18 shall be reinstated, and such person shall be required to make new
19 application for ~~registration~~, licensure or certification.

20 (b) A person who fails to renew his or her ~~real estate appraiser's~~
21 ~~registration~~, license or certificate before the applicable renewal date may
22 have it reinstated if the person does any one of the following:

23 (I) Makes proper application, within thirty-one days after the date
24 of expiration, by payment of the regular ~~three-year~~ renewal fee; or

25 (II) If proper application is made more than thirty-one days, but
26 within one year, after the date of expiration, by payment of the regular
27 ~~three-year~~ renewal fee and payment of a reinstatement fee equal to

1 one-third the regular ~~three-year~~ renewal fee; or

2 (III) If proper application is made more than one year, but within
3 two years, after the date of expiration, by payment of the regular
4 ~~three-year~~ renewal fee and payment of a reinstatement fee equal to
5 two-thirds the regular ~~three-year~~ renewal fee.

6 (2) ~~In the event~~ IF the federal registry fee ~~to be~~ collected by the
7 board and transmitted to the federal financial institutions examination
8 council is adjusted during the period prior to expiration of a license or
9 certificate, the board shall collect the amount of the increase in such fee
10 from the holder of the license or certificate and ~~shall forward such~~ THE
11 amount to the ~~said~~ council ~~on an annual basis~~ ANNUALLY. THE FEDERAL
12 REGISTRY FEE DOES NOT APPLY TO CERTIFIED AD VALOREM APPRAISERS
13 CERTIFIED UNDER THIS ARTICLE.

14 **SECTION 7.** In Colorado Revised Statutes, 12-61-708, **amend**
15 (1) introductory portion and (1) (a) as follows:

16 **12-61-708. Licensure or certification by endorsement -**
17 **temporary practice.** (1) The board may issue a license or certification
18 to an appraiser by endorsement to engage in the occupation of real estate
19 appraisal to any applicant who has a license ~~registration~~, or certification
20 in good standing as a real estate appraiser under the laws of another
21 jurisdiction if:

22 (a) The applicant presents proof satisfactory to the board that, at
23 the time of application for a Colorado ~~registration~~, license or certificate
24 by endorsement, the applicant possesses credentials and qualifications
25 ~~which~~ THAT are substantially equivalent to the requirements of this part
26 7; or

27 **SECTION 8.** In Colorado Revised Statutes, 12-61-709, **amend**

1 (2); and **amend as it will become effective July 1, 2013**, (1) as follows:

2 **12-61-709. Denial of license or certificate - renewal.** (1) The
3 board is empowered to determine whether an applicant for ~~registration,~~
4 licensure or certification possesses the necessary qualifications for
5 ~~registration,~~ licensure or certification required by this part 7. The board
6 may consider such qualities as the applicant's truthfulness, honesty, and
7 moral character, and whether the applicant has been convicted of a crime.
8 As used in this subsection (1), "applicant" includes any individual who
9 owns, in whole or in part, directly or indirectly, an appraisal management
10 company and any appraiser designated as a controlling appraiser by a
11 partnership, limited liability company, or corporation acting as an
12 appraisal management company. THE BOARD SHALL ADOPT RULES
13 DEFINING THE TERM "MORAL CHARACTER" FOR THE PURPOSES OF THIS
14 SECTION.

15 (2) If the board determines that an applicant does not possess the
16 applicable qualifications required by this part 7, or such applicant has
17 violated any provision of this part 7 or the rules ~~and regulations~~
18 promulgated by the board or any board order, the board may deny the
19 applicant a ~~registration,~~ license or certificate or deny the renewal or
20 reinstatement of a ~~registration,~~ license or certificate pursuant to section
21 12-61-707; and, in such instance, the board shall provide such applicant
22 with a statement in writing setting forth the basis of the board's
23 determination that the applicant does not possess the qualifications or
24 professional competence required by this part 7. Such applicant may
25 request a hearing on such determination as provided in section 24-4-104
26 (9), C.R.S.

27 **SECTION 9.** In Colorado Revised Statutes, 12-61-710, **amend**

1 (1) (a), (1) (i), (2), (2.5), (3), (5) (a), (10), and (11); **amend as it will**
2 **become effective July 1, 2013**, (1) (j); and **add** (1) (k) as follows:

3 **12-61-710. Prohibited activities - grounds for disciplinary**
4 **actions - procedures - repeal.** (1) A real estate appraiser is in violation
5 of this part 7 if the appraiser:

6 (a) Has been convicted of a felony or has had accepted by a court
7 a plea of guilty or nolo contendere OR THE IMPOSITION OF A DEFERRED
8 JUDGMENT to a felony if the felony is related to the ability to act as a real
9 property appraiser. A certified copy of the judgment of a court of
10 competent jurisdiction of such conviction or plea shall be conclusive
11 evidence of such conviction or plea. In considering the disciplinary
12 action, the board shall be governed by the provisions of section 24-5-101,
13 C.R.S.

14 (i) Has been subject to an adverse or disciplinary action in another
15 state, territory, or country relating to a license, certificate, ~~registration~~, or
16 other authorization to practice as an appraiser. A disciplinary action
17 relating to a ~~registration~~, license or certificate as an appraiser ~~registered~~,
18 licensed or certified under this part 7 or any related occupation in any
19 other state, territory, or country for disciplinary reasons shall be deemed
20 to be prima facie evidence of grounds for disciplinary action or denial of
21 licensure or certification by the board. This paragraph (i) shall apply only
22 to violations based upon acts or omissions in such other state, territory,
23 or country that are also violations of this part 7.

24 (j) Has failed to disclose in the appraisal report the fee paid to the
25 appraiser for a residential real property appraisal if the appraiser was
26 engaged by an appraisal management company to complete the
27 assignment; OR

1 (k) HAS ENGAGED IN CONDUCT THAT WOULD BE GROUNDS FOR THE
2 DENIAL OF A LICENSE OR CERTIFICATION PURSUANT TO SECTION
3 12-61-709.

4 (2) If an applicant, ~~a registrant~~, a licensee, or a certified person
5 has violated any of the provisions of this section, the board may deny or
6 refuse to renew any ~~registration~~, license or certificate, or, as specified in
7 subsections (2.5) and (5) of this section, revoke or suspend any
8 ~~registration~~, license or certificate, issue a letter of admonition to a
9 licensee or certified person, place a ~~registrant~~, licensee or certified person
10 on probation, or impose public censure.

11 (2.5) When a complaint or an investigation discloses an instance
12 of misconduct by a ~~registered~~, licensed or certified appraiser that in the
13 opinion of the board does not warrant formal action by the board but
14 should not be dismissed as being without merit, the board may send a
15 letter of admonition by certified mail to the appraiser against whom a
16 complaint was made. The letter shall advise the appraiser of the right to
17 make a written request, within twenty days after receipt of the letter of
18 admonition, to the board to begin formal disciplinary proceedings as
19 provided in this section to adjudicate the conduct or acts on which the
20 letter was based.

21 (3) A proceeding for discipline of a ~~registrant~~, licensee or certified
22 person may be commenced when the board has reasonable grounds to
23 believe that a ~~registrant~~, licensee or certified person has committed any
24 act or failed to act pursuant to the grounds established in subsection (1)
25 of this section or when a request for a hearing is timely made under
26 subsection (2.5) of this section.

27 (5) As authorized in subsection (2) of this section, disciplinary

1 actions by the board may consist of the following:

2 (a) **Revocation of a license or certificate.** (I) Revocation of a
3 ~~registration~~, license or certificate by the board shall mean that the
4 ~~registered~~, licensed or certified person shall surrender his or her
5 ~~registration~~, license or certificate immediately to the board.

6 (II) Any person whose ~~registration~~, license or certificate to
7 practice is revoked is rendered ineligible to apply for any ~~registration~~,
8 license or certificate issued under this part 7 until more than two years
9 have elapsed from the date of surrender of the ~~registration~~, license or
10 certificate. Any reapplication after such two-year period shall be treated
11 as a new application.

12 (10) Any ~~registrant~~, licensee or certified person having direct
13 knowledge that any person has violated any of the provisions of this part
14 7 shall report such knowledge to the board.

15 (11) The board, on its own motion or upon application, at any time
16 after the imposition of any discipline as provided in this section may
17 reconsider its prior action and reinstate or restore such ~~registration~~,
18 license or certificate or terminate probation or reduce the severity of its
19 prior disciplinary action. The taking of any such further action or the
20 holding of a hearing with respect thereto shall rest in the sole discretion
21 of the board.

22 **SECTION 10.** In Colorado Revised Statutes, 12-61-712, **amend**
23 (1) (a) as follows:

24 **12-61-712. Unlawful acts.** (1) It is unlawful for any person to:
25 (a) Violate any provision of section 12-61-710 (1) (c), (1) (e), or
26 (1) (f), or to perform a real estate appraisal in conjunction with a debt
27 instrument that is federally guaranteed or in the federal secondary market

1 or regulated pursuant to title 12, U.S.C., without first having obtained a
2 ~~registration~~, license or certificate from the board pursuant to this part 7;

3 **SECTION 11.** In Colorado Revised Statutes, **amend** 12-61-714
4 as follows:

5 **12-61-714. Special provision for appraiser employees of**
6 **county assessors.** (1) Except as provided in subsection (2) of this
7 section, unless a federal waiver is applied for and granted pursuant to
8 section 12-61-704 (1) (j), on and after July 1, 1997, any person acting as
9 a real estate appraiser in this state in conjunction with a debt instrument
10 that is federally guaranteed or in the federal secondary market or
11 regulated pursuant to title 12, U.S.C., shall be ~~registered~~, licensed or
12 certified as provided in this part 7, and, on and after said date, no person
13 shall practice in conjunction with a debt instrument that is federally
14 guaranteed or in the federal secondary market or regulated pursuant to
15 title 12, U.S.C., without such a ~~registration~~, license or certificate or hold
16 himself or herself out to the public as a ~~registered~~, licensed or certified
17 real estate appraiser unless ~~registered~~, licensed or certified pursuant to
18 this part 7.

19 (2) Any appraiser employee of any county assessor who is
20 employed to appraise real property shall be ~~registered~~, licensed or
21 certified as provided in this part 7 and shall have two years from the date
22 of taking office or the beginning of employment to comply with the
23 provisions of this part 7.

24 **SECTION 12.** In Colorado Revised Statutes, 12-61-715, **add** (2)
25 as follows:

26 **12-61-715. Duties of board under federal law.** (2) THE BOARD
27 SHALL NOT COLLECT OR TRANSMIT THE INFORMATION REQUIRED BY THIS

1 SECTION FOR CERTIFIED AD VALOREM APPRAISERS.

2 **SECTION 13.** In Colorado Revised Statutes, 12-61-716, **amend**
3 (1) as follows:

4 **12-61-716. Business entities.** (1) A corporation, partnership,
5 bank, savings and loan association, savings bank, credit union, or other
6 business entity may provide appraisal services if such appraisal is
7 prepared by ~~individuals registered, certified, or licensed in accordance~~
8 ~~with this part 7~~ A CERTIFIED GENERAL APPRAISER, A CERTIFIED
9 RESIDENTIAL APPRAISER, OR A LICENSED APPRAISER. An individual who
10 is not a ~~registered, certified, or licensed appraiser~~ CERTIFIED GENERAL
11 APPRAISER, A CERTIFIED RESIDENTIAL APPRAISER, OR A LICENSED
12 APPRAISER may assist in the preparation of an appraisal if:

13 (a) The assistant is under the direct supervision of a ~~registered,~~
14 certified or licensed appraiser; and

15 (b) The final appraisal document is approved and signed by an
16 individual who is a ~~registered,~~ certified or licensed appraiser.

17 **SECTION 14.** In Colorado Revised Statutes, 12-61-718, **amend**
18 (1) (b) as follows:

19 **12-61-718. Scope of article - regulated financial institutions -**
20 **de minimis exemption.** (1) (b) Such appraisal shall not be represented
21 or deemed to be an appraisal except to the said financial institution, the
22 agencies regulating the said financial institution, and any secondary
23 markets that purchase real estate secured loans. Such appraisal shall
24 contain a written notice that the preparer is not ~~registered,~~ licensed or
25 certified as an appraiser under this part 7. Nothing in this subsection (1)
26 shall be construed to exempt a person ~~registered,~~ licensed or certified as
27 an appraiser under this part 7 from regulation as provided in this part 7.

1 **SECTION 15. Effective date.** This act takes effect July 1, 2013.

2 **SECTION 16. Safety clause.** The general assembly hereby finds,
3 determines, and declares that this act is necessary for the immediate
4 preservation of the public peace, health, and safety.