

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1600 Session of
2013

INTRODUCED BY STEVENSON, MILLARD, PICKETT, GODSHALL, MILNE,
GRELL, MARSICO, GINGRICH, DeLUCA, M. DALEY, R. MILLER AND
COHEN, JUNE 29, 2013

REFERRED TO COMMITTEE ON PROFESSIONAL LICENSURE, JUNE 29, 2013

AN ACT

1 Amending the act of July 10, 1990 (P.L.404, No.98), entitled "An
2 act providing for the certification of real estate
3 appraisers; specifying requirements for certification;
4 providing for sanctions and penalties; and making an
5 appropriation," further providing for powers and duties of
6 the State Board of Certified Real Estate Appraisers, for
7 application and qualifications, for reciprocity and for
8 certification renewal, licensure renewal and records.

9 The General Assembly of the Commonwealth of Pennsylvania
10 hereby enacts as follows:

11 Section 1. Section 5 of the act of July 10, 1990 (P.L.404,
12 No.98), known as the Real Estate Appraisers Certification Act,
13 is amended by adding paragraphs to read:

14 Section 5. Powers and duties of board.

15 * * *

16 (11) To request and receive information or records of
17 any kind, including reports of criminal history record
18 information from any Federal, State, local or foreign
19 government entity regarding an applicant for a license,
20 licensee or person related in any way to the business of the

1 applicant or licensee, at a cost to be paid by the applicant
2 or licensee.

3 (12) To the extent required by standards and regulations
4 for the qualifications of appraisers promulgated pursuant to
5 the Financial Institutions Reform, Recovery, and Enforcement
6 Act of 1989, to consider criminal history record information
7 of arrests that do not result in a conviction,
8 notwithstanding the provisions of 18 Pa.C.S. § 9124(b)(1)
9 (relating to use of records by licensing agencies).

10 Section 2. Section 6(c) of the act, amended October 9, 2008
11 (P.L.1380, No.103), is amended to read:

12 Section 6. Application and qualifications.

13 * * *

14 (c) Application.--An applicant for certification or license
15 shall submit a written application on forms provided by the
16 board[. The application and any and all documentation submitted
17 with the application shall be subscribed and sworn to before a
18 notary public. The applicant shall be held responsible for the
19 statements contained in the application. The making of a false
20 statement in an application may constitute a ground for
21 certification or license denial or revocation. The application
22 shall evidence] that includes information subject to the
23 penalties for false swearing set forth in 18 Pa.C.S. § 4903
24 (relating to false swearing) or unsworn falsification to
25 authorities set forth in 18 Pa.C.S. § 4904 (relating to unsworn
26 falsification to authorities) and which demonstrates that:

27 (1) [He or she] The applicant is of good moral
28 character.

29 (2) [His or her application has been accompanied by] The
30 applicant has paid the application fee.

1 (3) The applicant has satisfied requirements of the
2 Pennsylvania State Police and the Federal Bureau of
3 Investigation for dissemination to the board of criminal
4 history record information required by the Appraiser
5 Qualifications Board of the Appraisal Foundation.

6 (4) The applicant has satisfied the qualifications for
7 licensure as an appraiser trainee or certification as a
8 residential real estate appraiser or general real estate
9 appraiser required by:

10 (i) This act.

11 (ii) The laws of this Commonwealth.

12 (iii) The regulations of the board.

13 (iv) The Real Property Appraiser Qualification
14 Criteria of the Appraiser Qualifications Board of the
15 Appraisal Foundation.

16 * * *

17 Section 3. Section 7 of the act is amended to read:

18 Section 7. Reciprocity.

19 The board shall have the power to grant a reciprocal
20 certification to an applicant who is certified [or licensed] as
21 an appraiser or licensed as an appraiser trainee in another
22 state and has demonstrated qualifications which equal or exceed
23 those required pursuant to this act in the determination of the
24 board[, provided that no certificate shall be granted under this
25 section to an applicant unless the state in which the applicant
26 is certified or licensed affords reciprocal treatment to persons
27 who are residents of this Commonwealth and who are certified
28 pursuant to this act].

29 Section 4. Section 10 of the act is amended by adding a
30 subsection to read:

1 Section 10. Certification renewal, licensure renewal and
2 records.

3 * * *

4 (b.2) Continuing education for licensed appraiser
5 trainees.--Licensed appraiser trainees shall be subject to the
6 same continuing education requirements for licensure renewal as
7 residential and general appraisers, but any qualifying education
8 completed after the issuance of the license and during the
9 biennial licensure period may also be applied to satisfy the
10 licensed appraiser trainee's continuing education requirements
11 under this subsection.

12 * * *

13 Section 5. This act shall take effect in 60 days.