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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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SENATE BILL

No. 1270 Session of  
2015

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INTRODUCED BY KILLION AND ALLOWAY, MAY 17, 2016

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REFERRED TO CONSUMER PROTECTION AND PROFESSIONAL LICENSURE,  
MAY 17, 2016

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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 a paragraph to read:

14 Section 5. Powers and duties of board.

15 The board shall have the following powers and duties:

16 \* \* \*

17 (11) To the extent required by standards and regulations  
18 for the qualifications of appraisers promulgated pursuant to  
19 the Financial Institutions Reform, Recovery, and Enforcement  
20 Act of 1989, to consider criminal history record information  
21 of convictions and arrests that do not result in a

1 conviction, notwithstanding the provisions of 18 Pa.C.S. §  
2 9124(b)(1) (relating to use of records by licensing  
3 agencies).

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

6 Section 6. Application and qualifications.

7 \* \* \*

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

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

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

25 (3) The applicant has satisfied requirements for  
26 dissemination to the board of criminal history record  
27 information required by the Appraiser Qualifications Board of  
28 the Appraisal Foundation.

29 (4) The applicant has satisfied the qualifications for  
30 licensure as an appraiser trainee or certification as a

1 residential real estate appraiser or general real estate  
2 appraiser required by:

3 (i) This act.

4 (ii) The regulations of the board.

5 (iii) The Real Property Appraiser Qualification  
6 Criteria of the Appraiser Qualifications Board of the  
7 Appraisal Foundation.

8 \* \* \*

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

10 Section 7. Reciprocity.

11 The board shall have the power to grant a reciprocal  
12 certification to an applicant who is certified [or licensed] as  
13 an appraiser or licensed as an appraiser trainee in another  
14 state and has demonstrated qualifications which equal or exceed  
15 those required pursuant to this act in the determination of the  
16 board[, provided that no certificate shall be granted under this  
17 section to an applicant unless the state in which the applicant  
18 is certified or licensed affords reciprocal treatment to persons  
19 who are residents of this Commonwealth and who are certified  
20 pursuant to this act].

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

23 Section 10. Certification renewal, licensure renewal and  
24 records.

25 \* \* \*

26 (b.2) Continuing education for licensed appraiser  
27 trainees.--Licensed appraiser trainees shall be subject to the  
28 same continuing education requirements for licensure renewal as  
29 residential and general appraisers, but any qualifying education  
30 completed after the issuance of the license and during the

1 biennial licensure period may also be applied to satisfy the  
2 licensed appraiser trainee's continuing education requirements  
3 under this subsection.

4 \* \* \*

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