SENATE DOCKET, NO. 2037 FILED ON: 7/14/2011

SENATE . . . . . No. 2016

The Commonwealth of Massachusetts

PRESENTED BY:

Thomas P. Kennedy

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act futher regulating the continuing education requirements for certain real estate appraisers and trainees..

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Thomas P. Kennedy	
Michael J. Rodrigues	
Cynthia S. Creem	
Robert L. Hedlund	
Brian A. Joyce	*Norfolk, Bristol, and Plymouth*
Carolyn C. Dykema	*8th Middlesex*
David Paul Linsky	*5th Middlesex*
George T. Ross	*2nd Bristol*
James J. Dwyer	*30th Middlesex*
David T. Vieira	*3rd Barnstable*
Sarah K. Peake	*4th Barnstable*

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By Mr. Kennedy, a petition (subject to Joint Rule 12) (accompanied by bill, Senate, No. 2016) of Thomas P. Kennedy, Michael J. Rodrigues, Cynthia S. Creem, Robert L. Hedlund and other members of the General Court for legislation to further regulate the continuing education requirements for certain real estate appraisers and trainees. Consumer Protection and Professional Licensure.

The Commonwealth of Massachusetts

In the Year Two Thousand Eleven

An Act futher regulating the continuing education requirements for certain real estate appraisers and trainees..

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide forthwith for additional continuing education requirements for certain real estate appraisers and trainees,, therefore, it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Section 184 of chapter 112 of the General Laws, as appearing in the
2 2008 Official Edition, is hereby by amended by adding the following subsection:-

3 D. Notwithstanding any other provision of this section, the board shall not discipline a
4 licensed or certified appraiser or a real estate appraisal trainee who has completed a 7-hour
5 National Uniform Standards of Professional Appraisal Update course during the 2 years
6 immediately preceding the date of the application for renewal of license or certification. Nothing
7 in this subsection shall authorize a trainee to renew a trainee license for more than the periods
8 authorized in section 181.

9 SECTION 2. Section 188 of chapter 112 of the General Laws, as so appearing, is
10 hereby amended by inserting after the word “instruction”, in line 10, the following words:- ;
11 provided, however, that such policies and procedures shall be consistent with the continuing
12 education requirements established by the Appraisal Qualifications Board of the Appraisal
13 Foundation.

14 SECTION 3. Notwithstanding any general or special law or rule or regulation to
15 the contrary, a licensed or certified real estate appraiser or a real estate appraisal trainee who
16 timely completed the 7-hour National Uniform Standards of Professional Appraisal Update
17 course before the effective date of this act and was the subject of disciplinary proceedings by the
18 board for failure to complete the continuing education requirements of section 184 of chapter
19 112 of the General Laws, as appearing in the 2008 Official Edition, shall have that disciplinary
20 action rescinded and permanently removed from his record. Nothing in this act shall be
21 construed to establish a cause of action by any such real estate appraiser or trainee against the
22 board of real estate appraisers related to any such disciplinary action.

23 SECTION 4. Notwithstanding subsection D of section 184 of chapter 112 of the
24 General Laws, no real estate appraiser or real estate trainee may be disciplined for a violation of
25 said subsection D of said section 184 of said chapter 112 whose current license has been renewed
26 under said section 184 of said chapter 112 immediately before the effect date of this act until
27 after the expiration of the term for which such renewal applies.