

SESSION OF 2007

SUPPLEMENTAL NOTE ON SENATE BILL NO. 360

As Amended by Senate Committee on
Federal and State Affairs

Brief*

SB 360 would amend the State Certified and Licensed Real Property Appraisers Act. A real estate appraiser may request to the Real Estate Appraisers Board that such appraiser's license or certificate be placed on inactive status for a period of up to two years. If the Board places the license or certificate on inactive status, the holder would be prohibited from:

- Using any titles or abbreviations indicating that such person holds an active certificate or license;
- Referring to any appraisal or evaluation of real estate by the term certified or state licensed; and
- Preparing real estate appraisals for federally related transactions.

The holder can request reinstatement from the Board and would be required to pay a fee of \$50.

The Board would be authorized to develop rules and regulations dealing with receiving and approving applications to place certificates or licenses on inactive status and reinstatement to active status.

The Board would be authorized to apply to the district court for the issuance of subpoenas compelling the attendance

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

and testimony of witnesses or the production for examination or copying of documents as it relates to disciplinary action. A person receiving a subpoena may petition the Board to revoke, limit, or modify the subpoena. The district court would have jurisdiction to require the person to appear before the Board to: produce evidence, revoking and limiting or modifying the subpoena.

Background

The Senate Committee amended the bill by requiring the Board to apply to the district court for the issuance of a subpoena.

The Director of the Kansas Real Estate Appraisal Board testified in support of the bill. No opponents testified on the bill.

The fiscal note indicates that, according to the Real Estate Board, passage of the bill could have a fiscal effect on the agency and on appraisers. However it is difficult to determine the fiscal effect since the Board would be collecting the fee and the appraiser would be paying an annual fee, and as a result the fiscal effect would be negligible. The passage of SB 360 would have an effect on the courts, because the courts must issue subpoenas, however, the Office of Judicial Administration (OJA) is unable to estimate the fiscal effect because it is unknown how many subpoenas would be issued. The OJA indicates that the fiscal effect would be negligible.