

HOUSE/SENATE BILL NO. XXXX

by Senator/Representative XXX

A BILL ENTITLED

AN ACT concerning

Real Estate Appraisers Fund

FOR the purpose of authorizing the *{Board}* to set certain fees for its services; and establishing the Real Estate Appraisers fund as a special, non-lapsing fund in the *{Department}*;

BY adding to:

{Cite existing appraiser licensing and certification statute}

SECTION 1 - Definitions

- (A) In this chapter, the following words have the meanings indicated:
- (1) “Board” *{or Commission}* means the *{state appraiser board, commission, office, etc.}*;
 - (2) “Department” *{or Office, or Agency}* means the *{insert state administrative agency with responsibility for administering the state appraiser licensing program}*;
 - (3) “Fund” means the Real Estate Appraisers Fund created within the *{insert state administrative agency with responsibility for administering the state appraiser licensing program}*.
 - (4) “Secretary” *{or Director, or Executive Director}* means the Secretary *{or Director, or Executive Director}* of the Department of *{insert state administrative agency with responsibility for administering the state appraiser licensing program}*;

Section 2 – Fees

- (A) Notwithstanding any other provision of law, the Board shall set by regulation:
- (1) the fees to be charged:

- a. to obtain an initial license or certification as an appraiser pursuant to *{the state's appraiser licensing and certification law}*;
 - b. to renew an existing license or certification; and
 - c. for any other services provided by the Board or Department.
- (2) the amount to be assessed against a licensed or certified appraiser for a violation of this chapter.
- (B) The fees charged by the Board shall be set so as to produce a total level of funding that is equal to the cost of:
 - a. maintaining the Board; and
 - b. administering and enforcing the appraiser licensing or certification program pursuant to *{insert statute reference for appraiser licensing or certification statutes}*;

Section 3 – Real Estate Appraisers Fund

- (A) There is a Real Estate Appraisers Fund in the Department.
- (B) The purpose of the Fund is to cover actual documented direct and indirect costs of fulfilling the statutory and regulatory duties of the Board.
- (C) The Secretary or a designee shall administer the Fund.
- (D) The Fund is a special, non-lapsing fund.
- (E) The Fund consists of:
 - (1) Revenue received by the Board pursuant to Section 2 of this Act;
 - (2) Money appropriated in the state budget to the Fund;
 - (3) Investment earnings of the Fund; and
 - (4) Any other money from any other source accepted for the benefit of the Fund.
- (F) The board may use the Fund for the administration and enforcement of the Real Property Appraiser Act and to meet the necessary expenditures of the Board.

- (G) The State Treasurer shall invest the money of the Fund in the same manner as other state money may be invested.
- (H) Any investment earnings of the Fund shall be paid into the Fund.
- (I) Expenditures from the Fund may be made only upon appropriation by the legislature through either a general appropriation act or a special appropriation act.
- (J) No monies shall be withdrawn or expended from the Fund except as budgeted and allotted according to *{State Budgeting Process}* and only in amounts as stipulated a general appropriation act or a special appropriation act.
- (K) Money in this Fund shall not be transferred or placed to the credit of the general fund.
- (L) The legislative auditor shall audit the accounts and transactions of the Fund at least once each year.