

## **State Laws Regarding the Collection and Disposition of Revenue by State Appraiser Boards**

**Strong statute** – Fees are determined in a manner such that the total amount of fees charged and collected approximates the total of the direct and indirect costs of the operations of the board. A separate fund (usually within the state treasury) is established into which all monies received by the appraiser board (license/certification fees, examination fees, fines, civil penalties, etc.) are deposited. The fund is continuously appropriated by the legislature and is not subject to an annual appropriation. All expenses of the board are paid out of the separate fund and must be kept within the income collected and deposited in the separate fund. The monies in the fund are invested in the same manner as other public money. Any investment earnings attributable to the board’s fund are credited to the fund. Money in the fund at the end of the year does not revert to the state’s general fund. There is an audit of the fund performed on an annual basis, the results of which are made available to the public.

AL, AZ, FL, GA, HI, IL, IN, KY, MS, MO, ND, OH, OK, OR, WA, WY (16)

**Moderate statute** – While the issue of how appraiser board funds are dealt with is addressed in these state’s statutes, the statutes are deficient in one or more of the areas identified under “Strong statute”. There are improvements that can be made to the statute. For instance, Colorado’s statutes credits funds paid by appraisers to a “real estate cash fund” and does not clarify that the fees established by the board must be such that they offset all of the expenses of the Board, and that the funds are for the exclusive use of the Board.

AK, AR, CA, CO, DE, DC, LA, MI, MT, NC, NE, NH, NJ, PA, SC, SD, WV (17)

**Weak statute** – Funds collected by the appraiser board are deposited in the state’s general fund and can be used by the state for purposes other than the administration of the appraiser licensing/certification program.

CT, ID, IA, KS, ME, MD, MA, NV, NY, TN, TX (11)

**Not Dealt with Directly in Statute** - MN, NM, RI, UT, VT, VA, WI (7)

## **Alabama**

*Strength of Statute: Strong*

### Section 34-27A-6 Fees; payment into Real Estate Appraisers Board Fund.

(a) The board shall have the authority to set and regulate fees necessary for its operation as a self sustaining board which fees shall be adopted in compliance with the Alabama Administrative Procedure Act, Chapter 22 of Title 41.

(b) All fees shall be paid into the Alabama Real Estate Appraisers Board Fund for the purpose of carrying out this chapter.

### Section 34-27A-27; Alabama Real Estate Appraisers Board Fund.

There is established a separate special revenue trust fund in the State Treasury to be known as the Alabama Real Estate Appraisers Board Fund. All receipts collected by the board under this chapter and any interest earned on funds in the fund shall be deposited in this fund and used only to carry out this chapter. The receipts shall be disbursed only by warrant of the state Comptroller upon the State Treasurer, upon itemized vouchers approved by the executive director of the board. No funds shall be withdrawn or expended except as budgeted and allotted according to Sections 41-4-80 through 41-4-96 and 41-19-1 through 41-19-12, inclusive, and only in amounts as stipulated in the general appropriations bill or other appropriate bills.

## **Alaska**

*Strength of Statute: Moderate*

### Sec. 08.01.065. Establishment of fees.

(a) Except for business licenses, the department shall adopt regulations that establish the amount and manner of payment of application fees, examination fees, license fees, registration fees, permit fees, investigation fees, and all other fees as appropriate for the occupations covered by this chapter.

(b) *[Repealed, Sec. 4 ch 34 SLA 1992.]*

(c) Except as provided in (f) – (i) of this section, the department shall establish fee levels under (a) of this section so that the total amount of fees collected for an occupation approximately equals the actual regulatory costs for the occupation. The department shall annually review each fee level to determine whether the regulatory costs of each occupation are approximately equal to fee collections related to that occupation. If the review indicates that an occupation's fee collections and regulatory costs are not approximately equal, the department shall calculate fee adjustments and adopt regulations under (a) of this section to implement the adjustments. In January of each year, the department shall report on all fee levels and revisions for the previous year under this subsection to the office of management and budget. If a board regulates an occupation covered by this chapter, the department shall consider the board's recommendations concerning the

occupation's fee levels and regulatory costs before revising fee schedules to comply with this subsection. In this subsection, "regulatory costs" means costs of the department that are attributable to regulation of an occupation plus (1) all expenses of the board that regulates the occupation if the board regulates only one occupation; (2) the expenses of a board that are attributable to the occupation if the board regulates more than one occupation.

(d) The license fee for a business license is set by AS 43.70.030(a). The department shall adopt regulations that establish the manner of payment of the license fee.

## **Arizona**

*Strength of Statute: Strong*

### 32-3608. Board of appraisal fund

A. A board of appraisal fund is established. Except as provided in subsection C of this section, pursuant to sections 35-146 and 35-147, the board shall deposit ten per cent of the monies in the state general fund and deposit the remaining ninety per cent in the board of appraisal fund.

B. Except as provided in subsection C of this section, all monies deposited in the board of appraisal fund are subject to section 35-143.01.

C. The national registry fee collected pursuant to section 32-3607, subsection A, paragraph 6 shall be deposited in the board of appraisal fund pending transmittal to the appraisal subcommittee. These monies are not subject to section 35-143.01.

### 35-143.01. Special funds; appropriation; reversion; use

A. All monies deposited in special agency funds of self-supporting regulatory agencies, as provided in section 35-142, to be used by such agency for administration and enforcement, shall be subject to annual legislative appropriation.

B. Unless otherwise provided by the legislature, a special fund self-supporting regulatory agency shall not expend more monies than are appropriated by the legislature for a fiscal year, and any monies remaining at the end of the fiscal year revert to the special agency fund.

C. Any unexpended or unencumbered balance of monies remaining in the special funds of self-supporting regulatory agencies as provided in section 35-142 at the end of the fiscal year shall not revert to the state general fund and may be made available by the legislature for use by the agency for the following fiscal year.

## **Arkansas**

*Strength of Statute: Moderate*

### 19-4-801. Definitions.

As used in this subchapter:

(1)“Cash funds” means all moneys, negotiable instruments, certificates of indebtedness, stocks, and bonds held by or owned by any state agency which are not on deposit with or in the trust of the Treasurer of State; and

(2)(A)“State agency” means all boards, commissions, departments, agencies, institutions, offices or officers, state-supported institutions of higher learning, and any other office or unit of government of the State of Arkansas created or established pursuant to law or pursuant to any action of the Governor, functioning under appropriation made by the General Assembly or functioning as a representative of the state without appropriation of the General Assembly. Not covered in statute

### 19-4-802. Authorization of General Assembly.

(a)Cash funds of the various state agencies as defined in § 19-4-801 shall be budgeted and proposed expenditures approved by enactments of the General Assembly.

(b)The General Assembly shall budget, approve, and appropriate expenditures of cash funds by the enactment of separate appropriation bills setting forth the purpose for which the moneys are to be expended and the dollar amount to be expended for such purpose.

(c)State agencies as defined in § 19-4-801 shall be required to submit such budgetary information as may be requested by the Legislative Council and shall undertake whatever budgetary procedures the Legislative Council may establish for the appropriation of cash funds.

(d)State agencies as defined in § 19-4-801 shall be required to post all financial transactions of cash funds in the state's financial management system in accordance with procedures established by the Chief Fiscal Officer of the State.

## **California**

*Strength of Statute: Moderate*

### 11410. Establishment

The Real Estate Appraisers Regulation Fund is hereby created in the State Treasury to consist of moneys raised by fees and assessments imposed pursuant to this part. Interest shall be paid at the pooled money investment rate on all money transferred to the General Fund from the Real Estate Appraisers Regulation Fund, notwithstanding the provisions of Section 16310 of the Government Code.

#### 11411. Administration and recovery accounts; deposits

There shall be separate accounts in the Real Estate Appraisers Regulation Fund for purposes of administration and for purposes of recovery. These accounts shall be known respectively as the Administration Account and the Recovery Account. On and after January 1, 2003, 5 percent of the amount of any license or certificate fee collected under this part shall be credited to the Recovery Account. The Recovery Account is a continuing appropriation for carrying out this chapter.

#### **Colorado**

*Strength of Statute: Moderate*

#### 12-61-705. Fees, penalties and fines collected under part 7.

All fees, penalties, and fines collected pursuant to this part 7, not including fees retained by contractors pursuant to contracts entered into in accordance with section 12-61-103, 12-61-706, or 24-34-101, shall be transmitted to the state treasurer, who shall credit the same to the division of real estate cash fund, created in Section 12-61-111.5.

#### **Connecticut**

*Strength of Statute: Weak*

#### Sec. 20-506. Deposit of fees.

The commission shall deposit all moneys received by it from fees in accordance with the provisions of sections 20-500 to 20-528, inclusive, with the State Treasurer, and, unless otherwise provided by said sections, they shall become part of the General Fund.

#### **Delaware**

*Strength of Statute: Moderate*

#### § 4012. Fees.

The amount to be charged for each fee imposed under this chapter shall approximate and reasonably reflect all costs necessary to defray the expenses of the Council, as well as the proportional expenses incurred by the Division in its service on behalf of the Council. There shall be a separate fee charged for each service or activity, but no fee shall be charged for a purpose not specified in this chapter. The application fee shall not be combined with any other fee or charge. At the beginning of each licensure biennium, the Division, or any other state agency acting in its behalf, shall compute, for each separate service or activity, the appropriate fees for the licensure biennium. The Division shall charge a biennial fee to licensees and certificate holders for enrollment in the federal roster or registry.

## **District of Columbia**

*Strength of Statute: Moderate*

### **§ 47-2853.154 Appraisal Education Fund**

(a) There is established a fund designated as the Appraisal Education Fund ("Fund"), which shall be separate from the General Fund of the District of Columbia. All funds obtained from an appraisal education fund fee to be established by the Mayor (which shall be in addition to licensing and renewal fees established by the Mayor) and civil penalties imposed by the Board or the Office of Administrative Hearings pursuant to this part, and all interest earned on those funds, shall be deposited into the Fund without regard to fiscal year limitation pursuant to an act of Congress and used solely to pay the costs of operating and maintaining the Fund. All funds, interest, and other amounts deposited into the Fund shall not be transferred or revert to the General Fund of the District of Columbia at the end of any fiscal year or at any other time, but shall continually be available for the uses and purposes set forth in this section, subject to authorization by Congress in an appropriations act.

(b)(1) The funds deposited in the Fund shall be used by the Board for the purpose of raising the standards of practice and the competency of licensees by:

- (A) Promoting the advancement of education and research for the benefit of any licensee under this part;
- (B) Underwriting educational seminars, workshops, and any other similar form of educational project for the benefit of any licensee under this part; and
- (C) Contracting for particular education or other projects intended to further the purposes of this part.

(2) The funds deposited in the Fund shall also be used by the Board to defray the expenses to discharge the administrative and regulatory duties as prescribed by this part.

(c) The Board may establish minimum and maximum balances for the Fund, procedures for continuing and discontinuing assessing licensees, and rules for the implementation and operation of the Fund.

(d) If a licensee fails to pay the appraisal education fee within the time prescribed by rule, his or her license shall be automatically suspended. The Board shall send a notice of the suspension, by certified mail, to the address of record within 5 days after the suspension. The license shall be restored only upon the actual receipt by the Mayor of the delinquent fee.

## **Florida**

*Strength of Statute: Strong*

### 215.37 Department of Business and Professional Regulation and the boards to be financed from fees collected; deposit of funds; service charge; appropriation.

(1) All fees, licenses, and other charges assessed to practitioners of professions, as defined in chapter 455, by the Department of Business and Professional Regulation or a board within the department shall be collected by the department and shall be deposited in the State Treasury into the Professional Regulation Trust Fund to the credit of the department.

(2) The regulation by the department of professions, as defined in chapter 455, shall be financed solely from revenue collected by it from fees and other charges and deposited in the Professional Regulation Trust Fund, and all such revenue is hereby appropriated to the department. However, it is legislative intent that each profession shall operate within its anticipated fees.

(3) The department shall be charged a service charge pursuant to chapter 215 on funds deposited in the Professional Regulation Trust Fund.

...

(5) The department shall maintain separate accounts in the Professional Regulation Trust Fund, as provided in s. [455.219](#), for every profession within the department.

## **Georgia**

*Strength of Statute: Strong*

### § 43-39A-4. Fees

The board is authorized to establish the amount of any fee which it is authorized by this chapter to charge and collect. Each fee so established shall be reasonable and shall be determined in such a manner that the total amount of fees charged and collected by the board shall approximate the total of the direct and indirect costs to the state of the operations of the board.

### § 43-39A-12. Disposition of fees collected

Except as provided for in subsection (l) of Code Section 43-39A-11, all fees collected pursuant to this chapter shall be deposited by the board into the state treasury. Out of the funds thus arising shall be paid the expenses contemplated in this chapter for the administration and enforcement of this chapter. All expenditures authorized by the board shall be paid from the funds received pursuant to this chapter. The expenses of the board and its support staff must always be kept within the income collected and deposited in accordance with this chapter; and the expenses thereof shall not be supported or paid from any other state fund or licensing authority.

## **Hawaii**

*Strength of Statute: Strong*

(l) Any law to the contrary notwithstanding, the director of commerce and consumer affairs may:

- (1) Establish, increase, decrease, or repeal fees relating to any aspect of the registration, certification, licensure, or any other administrative process for all laws within the jurisdiction of the department. Amendments to fee assessments shall be made pursuant to chapter 91;

The fees collected by the professional and vocational licensing division and the business registration division shall be deposited into the compliance resolution fund under subsection (o)

(o) Every person licensed under any chapter within the jurisdiction of the department of commerce and consumer affairs and every person licensed subject to chapter 485A or registered under chapter 467B shall pay upon issuance of a license, permit, certificate, or registration a fee and a subsequent annual fee to be determined by the director and adjusted from time to time to ensure that the proceeds, together with all other fines, income, and penalties collected under this section, do not surpass the annual operating costs of conducting compliance resolution activities required under this section. The fees may be collected biennially or pursuant to rules adopted under chapter 91, and shall be deposited into the special fund established under this subsection. Every filing pursuant to chapter 514E or section 485A-202(a)(26) shall be assessed, upon initial filing and at each renewal period in which a renewal is required, a fee that shall be prescribed by rules adopted under chapter 91, and that shall be deposited into the special fund established under this subsection. Any unpaid fee shall be paid by the licensed person, upon application for renewal, restoration, reactivation, or reinstatement of a license, and by the person responsible for the renewal, restoration, reactivation, or reinstatement of a license, upon the application for renewal, restoration, reactivation, or reinstatement of the license. If the fees are not paid, the director may deny renewal, restoration, reactivation, or reinstatement of the license. The director may establish, increase, decrease, or repeal the fees when necessary pursuant to rules adopted under chapter 91. The director may also increase or decrease the fees pursuant to section 92-28.

There is created in the state treasury a special fund to be known as the compliance resolution fund to be expended by the director's designated representatives as provided by this subsection. Notwithstanding any law to the contrary, all revenues, fees, and fines collected by the department shall be deposited into the compliance resolution fund. Unencumbered balances existing on June 30, 1999, in the cable television fund under chapter 440G, the division of consumer advocacy fund under chapter 269, the financial institution examiners' revolving fund, section 412:2-109, the special handling fund, section 414-13, and unencumbered balances existing on June 30, 2002, in the insurance regulation fund, section 431:2-215, shall be deposited into the compliance resolution fund. This provision shall not apply to the drivers education fund underwriters fee, section 431:10C-115, insurance premium taxes and revenues, revenues of the workers' compensation special compensation fund, section 386-151, the captive insurance administrative fund, section 431:19-101.8, the insurance commissioner's education and training fund, section 431:2-214, the medical malpractice patients' compensation fund as administered under section 5 of Act 232, Session Laws of Hawaii 1984, and fees collected for deposit in the office of consumer protection restitution fund,

section 487-14, the real estate appraisers fund, section 466K-1, the real estate recovery fund, section 467-16, the real estate education fund, section 467-19, the contractors recovery fund, section 444-26, the contractors education fund, section 444-29, the condominium management education fund, section 514A-131, and the condominium education trust fund, section 514B-71. Any law to the contrary notwithstanding, the director may use the moneys in the fund to employ, without regard to chapter 76, hearings officers and attorneys. All other employees may be employed in accordance with chapter 76. Any law to the contrary notwithstanding, the moneys in the fund shall be used to fund the operations of the department. The moneys in the fund may be used to train personnel as the director deems necessary and for any other activity related to compliance resolution.

As used in this subsection, unless otherwise required by the context, "compliance resolution" means a determination of whether:

- (1) Any licensee or applicant under any chapter subject to the jurisdiction of the department of commerce and consumer affairs has complied with that chapter;
- (2) Any person subject to chapter 485A has complied with that chapter;
- (3) Any person submitting any filing required by chapter 514E or section 485A-202(a)(26) has complied with chapter 514E or section 485A-202(a)(26);
- (4) Any person has complied with the prohibitions against unfair and deceptive acts or practices in trade or commerce; or
- (5) Any person subject to chapter 467B has complied with that chapter; and includes work involved in or supporting the above functions, licensing, or registration of individuals or companies regulated by the department, consumer protection, and other activities of the department.

The director shall prepare and submit an annual report to the governor and the legislature on the use of the compliance resolution fund. The report shall describe expenditures made from the fund including non-payroll operating expenses.

#### §26H-2 Policy.

The legislature hereby adopts the following policies regarding the regulation of certain professions and vocations:

- (7) Fees for regulation and licensure shall be imposed for all vocations and professions subject to regulation; provided that the aggregate of the fees for any given regulatory program shall not be less than the full cost of administering that program. [L 1977, c 70, pt of §2; am L 1980, c 142, §1; am L 1996, c 45, §1]

## **Idaho**

*Strength of Statute: Weak*

### **54-4113.FEES -- ISSUANCE OF LICENSES OR CERTIFICATES.**

Every person applying for examination or reexamination under this chapter shall pay a fee equal to that charged by the national examining entity. If the result of the examination of any applicant shall be satisfactory to the board, under its rules, it shall issue to such applicant a license or certificate setting forth the fact that he is a state licensed or certified real estate appraiser and authorized to practice his profession in this state. The fee for obtaining a license or certificate under the provisions of this chapter shall be an amount not to exceed five hundred dollars (\$500). The annual fee for renewal or reinstatement of a license or certificate shall be an amount not to exceed five hundred dollars (\$500), which shall be paid to the bureau. The board shall adopt all fees by rule.

In addition to those fees described above, the board may collect from applicants for licensure or certification and holders of state licenses or certificates of appraisal and remit to the appropriate agency or instrumentality of the federal government, any additional fees as may be required to render Idaho state licensed residential, certified residential and general real estate appraisers eligible to perform appraisals in connection with federally-related transactions.

## **Illinois**

*Strength of Statute: Strong*

### **(225 ILCS 458/25-5)**

Sec. 25-5. Appraisal Administration Fund; surcharge. The Appraisal Administration Fund is created as a special fund in the State Treasury. All fees, fines, and penalties received by OBRE under this Act shall be deposited into the Appraisal Administration Fund. All earnings attributable to investment of funds in the Appraisal Administration Fund shall be credited to the Appraisal Administration Fund. Subject to appropriation, the moneys in the Appraisal Administration Fund shall be paid to OBRE for the expenses incurred by OBRE and the Board in the administration of this Act. Moneys in the Appraisal Administration Fund may be transferred to the Professions Indirect Cost Fund as authorized under Section 2105-300 of the Department of Professional Regulation Law of the Civil Administrative Code of Illinois.

Upon the completion of any audit of OBRE, as prescribed by the Illinois State Auditing Act, which shall include an audit of the Appraisal Administration Fund, OBRE shall make the audit report open to inspection by any interested person.

## **Indiana**

*Strength of Statute: Strong*

### **IC 25-34.1-8-7.5 Investigative fund; administration by attorney general and professional licensing agency**

Sec. 7.5. (a) The investigative fund is established to provide funds for administering and enforcing the provisions of this article, including investigating and taking enforcement action against real estate fraud and real estate appraisal fraud. The fund shall be administered by the attorney general and the professional licensing agency.

(b) The expenses of administering the fund shall be paid from the money in the fund. The fund consists of:

(1) money from a fee imposed upon licensed or certified appraisers and real estate brokers and salespersons under IC 25-34.1-2-7 and IC 25-34.1-3-9.5; and

(2) civil penalties deposited in the fund under IC 24-5-23.5-9(d).

(c) The treasurer of state shall invest the money in the fund not currently needed to meet the obligations of the fund in the same manner as other public money may be invested.

(d) Except as otherwise provided in this subsection, money in the fund at the end of a state fiscal year does not revert to the state general fund. If the total amount in the investigative fund exceeds seven hundred fifty thousand dollars (\$750,000) at the end of a state fiscal year after payment of all claims and expenses, the amount that exceeds seven hundred fifty thousand dollars (\$750,000) reverts to the state general fund.

(e) Money in the fund is continually appropriated for use by the attorney general and the licensing agency to administer and enforce the provisions of this article and to conduct investigations and take enforcement action against real estate and appraisal fraud under this article. The attorney general shall receive five dollars (\$5) of each fee collected under IC 25-34.1-2-7 and IC 25-34.1-3-9.5, and the licensing agency shall receive any amount that exceeds five dollars (\$5) of each fee collected under IC 25-34.1-2-7 and IC 25-34.1-3-9.5.

### **IC 25-34.1-8-15 Use of investigative fund**

Sec. 15. The office of the attorney general and the professional licensing agency may use the investigative fund established by section 7.5 of this chapter to hire investigators and other employees to administer and enforce the provisions of this article and to investigate and prosecute real estate fraud and real estate appraisal fraud.

## **Iowa**

*Strength of Statute: Weak*

### 543D.6 Fees.

1. The board shall establish and collect fees for certification, examination, reexamination, renewal of certification, and delinquency at an amount necessary to pay the administrative costs of sustaining the board and implementing this chapter. The fees shall include, but are not limited to, amounts to cover the costs for the following items:
  - a. Per diem, expenses, and travel expenses for board members, peer review committee persons, or disciplinary panel members.
  - b. Salary, per diem, and expenses of staff.
  - c. Office facilities, supplies, and equipment.
2. Fees collected by the board shall be transmitted to the treasurer of state who shall deposit the fees in the general fund of the state.

## **Kansas**

*Strength of Statute: Weak*

### 58-4107. Fees.

- (a) The board shall adopt rules and regulations prescribing the fees provided for by this act in amounts necessary to administer and enforce this act, subject to the following:
- (1) For application for certification or licensure, a fee not to exceed \$50.
  - (2) For any examination required for certification or licensure, a fee in an amount equal to the actual cost of the examination and administration thereof.
  - (3) For original or renewal certification or licensure, a fee not to exceed \$300.
  - (4) For late renewal of a certificate or license, a late fee not to exceed \$50.
  - (5) For certification to another jurisdiction that an individual is certified or licensed, an amount not exceeding \$25.
  - (6) For approval of a course of instruction approved pursuant to K.S.A. 58-4105, and amendments thereto, an amount not to exceed \$100.
  - (7) For renewal of a course of instruction approved pursuant to K.S.A. 58-4105, and amendments thereto, an amount not to exceed \$25.

(8) For reinstatement of active status of a certificate or license, a fee not to exceed \$50. If a certificate or license is issued or renewed for a period other than one year, the fee shall be prorated to the nearest whole month.

(b) The board may prescribe a fee not to exceed \$50 for registration of an appraiser pursuant to subsection (b) of K.S.A. 584 103, and amendments thereto.

(c) The board may establish different classes of courses of instruction for the purpose of establishing fees pursuant to subsections (a)(6) and (7) and may establish a different fee for each such class.

(d) In addition to the fees prescribed above, the board shall collect any registry fee required pursuant to federal law. Such registry fees shall be transmitted by the board to the appraisal subcommittee of the federal financial institutions examination council in accordance with federal law.

(e) Except as provided in subsection (f), the board shall collect all fees provided for by this act. No original or renewed certificate or license shall be issued unless all appropriate fees, including any federal registry fee, have been paid.

(f) If a testing service has been designated by the board to administer the examination, each applicant shall pay the examination fee to the testing service.

(g) The director of the board shall remit all moneys, received pursuant to this act to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury. Twenty percent of each such deposit, other than amounts collected for federal registry fees or for civil fines imposed pursuant to K.S.A. 58-4118, and amendments thereto, shall be credited to the state general fund and the balance shall be credited to the appraiser fee fund, which is hereby created in the state treasury. All expenditures from such fund shall be made in accordance with appropriations acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the chairperson of the board or by a person or persons designated by the chairperson.

(h) All amounts collected for federal registry fees shall be credited totally to the federal registry clearing fund, which is hereby created in the state treasury. All disbursements from the federal registry clearing fund shall be made upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the chairperson of the board or by a person or persons designated by the chairperson. Amounts credited to the federal registry clearing fund under this section shall not be subject to any limitations imposed by any appropriations act of the legislature.

## **Kentucky**

*Strength of Statute: Strong*

### 324A.065 Fees -- Disposition of fees.

The board shall establish by regulation and collect the following fees for certification or licensure as an appraiser for:

(1) Federally-related transactions:

(a) Initial application fee in an amount not to exceed two hundred twelve dollars (\$212), which shall include a fee for the current edition of the Uniform Standards of Professional Practice;

(b) Examination fee in an amount not to exceed two hundred dollars (\$200);

(c) An annual certificate or licensure fee in an amount not to exceed two hundred twelve dollars (\$212), which shall include a fee for the current edition of the Uniform Standards of Professional Appraisal Practice;

1. Duplicate certificate fee in an amount not to exceed ten dollars (\$10);

2. Certificate correction fee in an amount not to exceed ten dollars (\$10);

(d) Roster fee not to exceed fifty dollars (\$50).

(2) Nonfederally-related transactions:

(a) Initial application fee in an amount not to exceed one hundred dollars (\$100);

(b) Examination fee in an amount not to exceed one hundred dollars (\$100);

(c) An annual certificate or licensure renewal fee in an amount not to exceed one hundred dollars (\$100);

1. Duplicate certificate fee in an amount not to exceed five dollars (\$5);

2. Certificate correction fee in an amount not to exceed five dollars (\$5);

(d) Roster fee not to exceed twenty-five dollars (\$25).

(3) (a) All fees and charges collected by the board under the provisions of this chapter shall be paid into the Real Estate Appraisers Board's trust and agency account in the State Treasury.

(b) All expenses incurred by the board under the provisions of this chapter, including compensation to the board members and staff, shall be paid out of this account, subject to approval of the board.

(4) All fees and charges collected by the board under the provisions of this chapter shall be paid into the Real Estate Appraisers Board's trust and agency account in the State Treasury. All expenses incurred by the board under the provisions of this chapter, including compensation to the board members and staff, shall be paid out of this account, subject to approval of the board.

### Louisiana

*Strength of Statute: Moderate*

#### §3407. Fees

A. The board shall charge and collect fees not in excess of the following:

- (1) License application fee \$200.00
- (2) License history fee 25.00
- (3) Examination processing fee \$100.00
- (4) Experience review \$100.00
- (5) License renewal fee \$200.00
- (6) Delinquent renewal fee:

January 1 - February 15 \$25.00

February 16 - June 30 \$100.00

- (7) Temporary registration fee \$50.00
- (8) Initial qualifying/continuing education provider fee \$100.00
- (9) Annual renewal fee for education provider \$100.00
- (10) Filing fee for additional course offerings submitted by approved education providers \$10.00

B.(1) In addition to the fees provided for in Subsection A of this Section, the board may charge each applicant or licensee twenty dollars for each two-year license. The funds shall be included in the research and education fund of the Louisiana Real Estate Commission and shall be dedicated for use by the board to sponsor, conduct, contract for, and underwrite any and all research projects or real estate appraisal programs having to do with the advancement of the real estate appraisal industry in Louisiana.

(2) Additionally, the board may collect any required federal fees from each applicant or licensee and remit them to the appropriate agency or instrumentality of the federal government as may be required to render Louisiana licensed real estate appraisers eligible to perform appraisals in connection with federally related transactions.

C. All fees shall be paid into the operating account of the board for the purpose of carrying out the provisions of this Chapter.

D. Activities of the board shall be audited in accordance with R.S. 24:513.

## **Maine**

*Strength of Statute: Weak*

### 14012-A. Fees

The Director of the Office of Licensing and Registration within the Department of Professional and Financial Regulation may establish by rule fees for purposes authorized under this chapter in amounts that are reasonable and necessary for their respective purposes, except that the fee for any one purpose may not exceed \$450. Rules adopted pursuant to this section are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A. [2005, c. 262, Pt. D, §2 (NEW).]

## **Maryland**

*Strength of Statute: Weak*

### Article - Business Occupations and Professions §16–217.

Except as otherwise provided by law, the Commission shall pay all money collected under this title into the General Fund of the State.

## **Massachusetts**

*Strength of Statute: Weak*

### Chapter 112: Section 176. Charging and collection of fees by board of real estate appraisers

Section 176. The board shall charge and collect fees as determined by the commissioner of administration and finance in accordance with the provisions of section three B of chapter seven. The board shall collect such additional fees as are required by the Federal Appraisal Subcommittee pursuant to Title XI and shall transmit such additional fees to the Federal Appraisal Subcommittee on an annual basis or more frequently as required.

## **Michigan**

*Strength of Statute: Moderate*

### 338.2203 Fees; use; disposition.

Sec. 3. (1) The fees prescribed by this act shall be used only to offset the cost of operating the department.

(2) Except as otherwise provided in sections 37, 38, and 51, the fees collected pursuant to this act shall be credited to the general fund of the state.

## **Minnesota**

Not covered in statute

## **Mississippi**

*Strength of Statute: Strong*

### **§73-34-45 Fees: Real Estate Appraisal License Fund**

All fees charged and collected under this chapter shall be paid by the commission at least once a week, accompanied by a detailed statement thereof, to the credit of the fund known as the "Real Estate Appraisal License Fund," hereby created in the State Treasury. All monies which are collected under this chapter shall be paid into and credited to such fund for the use of the board in carrying out the provisions of this chapter including the payment of salaries and expenses, printing and annual directory of licensees, and for educational purposes. The commission shall submit a monthly statement to the board detailing any expenses, which it bears as a share in the expense of administering this chapter, for which expenses it shall be reimbursed in the amount approved by the board. The commission shall prepare an annual statement of income and expenses related to its appraisal related administrative function.

If any applicant for licensing for the examinations given under this chapter prior to January 1, 1991, prepays the examination fee prior to August 1, 1990, he shall pay a fee of one hundred seventy-five dollars (\$175.00) in lieu of the two hundred twenty-five dollars (\$225.00) application and examination fee as stated in this section.

## **Missouri**

*Strength of Statute: Strong*

### **Fees, collection and disposition--fund, source, use, transferred to general revenue, when.**

339.070. 1. All fees and charges payable under this chapter shall be collected by the division of professional registration and transmitted to the department of revenue for deposit in the state treasury to the credit of the "Real Estate Commission Fund". No money shall be paid out of this fund except by an appropriation by the general assembly. Warrants shall be issued monthly, upon the state treasurer out of this fund only, for the payment of the salaries and all necessary expenses of the commission. Vouchers for salaries and expenses shall be first approved by the commission. The total expense for every purpose incurred by the commission shall not exceed the total fees and charges collected and paid into the state treasury.

2. The provisions of section 33.080, RSMo, to the contrary notwithstanding, money in this fund shall not be transferred and placed to the credit of general revenue until the amount in the fund at the end of the biennium exceeds two times the amount of the appropriation from the board's funds for the preceding fiscal year or, if the board requires by rule permit renewal less frequently than yearly, then three times the appropriation from the board's funds for the preceding fiscal year. The

amount, if any, in the fund which shall lapse is that amount in the fund which exceeds the appropriate multiple of the appropriations from the board's funds for the preceding fiscal year.

## **Montana**

*Strength of Statute: Moderate*

### 37-54-112. Deposit of fees.

Fees collected by the board under this chapter must be deposited in the state special revenue fund for the use of the board, subject to [37-1-101\(6\)](#), and may be used to pay the compensation of board members and other expenses necessary to administer this chapter.

## **Nebraska**

*Strength of Statute: Moderate*

### 76-2241 Fees.

The board shall charge and collect appropriate fees for its services under the Real Property Appraiser Act as follows:

- (1) An application fee of one hundred fifty dollars;
- (2) An examination fee of no more than three hundred dollars. The board may direct applicants to pay the fee directly to a third party who has contracted to administer the examination;
- (3) An initial and renewal credentialing fee, other than temporary credentialing, of no more than three hundred dollars;
- (4) A late renewal fee of twenty-five dollars for each month or portion of a month the fee is late;
- (5) A temporary credential application fee for a licensed real property appraiser, a certified residential real property appraiser, or a certified general real property appraiser of no more than one hundred dollars; and
- (6) A pocket card fee of no more than fifty dollars for a licensed real property appraiser, certified residential real property appraiser, or certified general real property appraiser holding a temporary credential under the act.

All fees for credentialing through reciprocity shall be the same as those paid by others pursuant to this section.

In addition to the fees set forth in this section, the board may collect and transmit to the appropriate federal authority any fees established under the provisions of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989, as the act existed on January 1, 2008. The board may establish such fees as it deems appropriate for special examinations and other services provided by the board. All fees and other revenue collected pursuant to the Real Property Appraiser

Act shall be remitted by the board to the State Treasurer for credit to the Real Property Appraiser Fund.

## **Nevada**

*Strength of Statute: Weak*

### NRS 645C.240 Disposition of money received by Division; financial support of Division.

1. Except as otherwise provided in subsections 2 and 3, all fees, penalties and other charges received by the Division pursuant to this chapter must be deposited with the State Treasurer for credit to the State General Fund.

2. Fees received by the Division:

(a) From the sale of publications, must be retained by the Division to pay the costs of printing and distributing publications.

(b) For examinations, must be retained by the Division to pay the costs of the administration of examinations.

Ê Any surplus of the fees retained by the Division must be deposited with the State Treasurer for credit to the State General Fund.

3. The portion of the fees collected by the Division pursuant to [NRS 645C.450](#) for the issuance or renewal of a certificate or license as a residential appraiser or the issuance or renewal of a certificate as a general appraiser which is used for payment of the registry fee to the Financial Institutions Examination Council pursuant to 12 U.S.C. § 3338, must be retained by the Division for payment to the Financial Institutions Examination Council.

4. Money for the support of the Division in carrying out the provisions of this chapter must be provided by direct legislative appropriation and be paid out on claims as other claims against the State are paid.

## **New Hampshire**

*Strength of Statute: Moderate*

### 310-B:20 Fees.

The board shall establish fees for application, for examination of applicants, for apprentices, and renewals of apprentice status for licensure or certification, for renewal of licensure or certification under this chapter, and for transcribing and transferring records and other services. The fees established by the board shall be sufficient to produce estimated revenues equal to 125 percent of the direct operating expenses of the board for the previous fiscal year, and sufficient to provide for periodic payments to reimburse the general fund for money appropriated for the purposes of this chapter.

310-B:21 Receipts and Disbursements. –

I. There shall be a board secretary who shall receive and account for all moneys derived under the provisions of this chapter. At least monthly, the receipts shall be turned over to the state treasurer, who shall keep such moneys in a separate fund to be known as the real estate appraisers fund. Such fund shall be kept separate and apart from all moneys in the treasury, and shall be disbursed only for purposes of this chapter. Under no circumstances shall the total amount of payments exceed the fees collected under this chapter.

I-a. All moneys collected as administrative penalties through enforcement actions or settlements under this chapter shall be credited to the real estate appraisers fund and disbursed by the board for the investigation of complaints and activities that violate this chapter or rules adopted by the board.

II. The board shall reimburse the general fund for moneys appropriated for the purposes of this chapter as soon as such funds are available. A schedule for making periodic payments for reimbursement of advanced funds shall be acted upon at the board's first meeting.

III. Revenues in excess of budget estimates may be expended with the prior approval of the legislative fiscal committee and the governor and council.

**New Jersey**

*Strength of Statute: Moderate*

45:14F-26. Board subject to law on expenses and accounts

The board created by this act shall be subject to the provisions of R.S.45:1-3.

45:1-3. Expenses of boards paid from income; surplus paid to state treasurer; accounts

Each member of the boards mentioned in section 45:1-2 of this title shall be entitled to his actual traveling and other expenses incurred in the performance of his duties, which sum shall be paid from the license fees and other sources of income of such boards. Such boards shall also be entitled to expend from their income such sums as shall be necessary to defray all proper expenses incurred by them in the performance of their duties, including the compensation of any of their officers or agents whom they are authorized to compensate. Such boards, if authorized to collect an annual registration or license fee from persons licensed by them, may retain in their treasuries the fees so collected and use the same for the purpose of defraying the expenses of securing evidence against and prosecuting persons violating the provisions of the laws with the enforcement of which they are charged, or, in case the revenue of the boards from other sources shall be insufficient to pay the salary of their secretaries and their other expenses, such fees may be expended for such purposes. Such boards shall be entitled to retain, in addition to the above, at least one hundred dollars in their treasuries for the purpose of preparing and holding their examinations. On or before October thirty-first in each year such boards shall pay to the state treasurer all moneys remaining in their treasuries, except as above stated, which sum, when so

paid, shall form a part of the state fund. Such boards shall keep accurate accounts of their receipts and expenditures, which accounts shall be subject to audit by the state comptroller.

### **New Mexico**

Not covered in statute

### **New York**

*Strength of Statute: Weak*

§ 160-f. Fees. 1. The department shall charge and collect fees not in excess of the following:

- a. An application fee for certification and licensing of two hundred fifty dollars.
- b. An examination fee of fifty dollars.
- c. A reexamination fee of fifty dollars.
- d. A fee for recertification or renewal of license of two hundred fifty dollars.
- e. A delinquent renewal fee of two hundred dollars.

2. Notwithstanding any other law, the department may transmit an annual registry fee of not more than twenty-five dollars from such individuals who perform or seek to perform appraisals in federally related transactions and to transmit a roster of such individuals to the Appraisal Subcommittee of the Federal Financial Institutions Examination Council as required by Title XI of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989.

3. All fees collected under this section shall be paid into the business and licensing services account established pursuant to section ninety-seven-y of the state finance law.

### **North Carolina**

*Strength of Statute: Moderate*

#### **§ 93E-1-5. Appraisal Board**

(c) Members of the Board shall be paid the per diem, subsistence, and travel allowances at the rates set forth in G.S. 93B-5; provided that none of the expenses of the Board or the compensation or expenses of any officer or employee thereof shall be payable out of the treasury of the State of North Carolina; the total expenses of the administration of this Chapter shall not exceed the total income there from; and neither the Board nor any officer or employee thereof shall have any power or authority to make or incur any expense, debt, or other financial obligation binding upon the State of North Carolina.

## **North Dakota**

*Strength of Statute: Strong*

### 43-23.3-20. Fees.

The board may charge apprentice, licensed, and certified permittees and educational providers or promoters reasonable fees to help offset costs of operating the board. The board shall establish the charges by rule.

### 43-23.3-21. Disposition of fees.

The board, or its designated representative, shall deposit all fees collected by the board in a separate account. Disbursements from the account may not exceed the moneys credited to it. The board's designated representative shall review and pay appropriate charges against the account for services provided to the board.

## **Ohio**

*Strength of Statute: Strong*

### 4763.15 Real estate appraiser operating fund

Except for moneys required to be transferred into the real estate appraiser recovery fund pursuant to section 4763.16 of the Revised Code or as required pursuant to this section, the superintendent of real estate may deposit all fees collected under this chapter into the state treasury to the credit of the real estate appraiser operating fund, which is hereby created. All operating expenses of the real estate appraiser board and the superintendent of real estate relating to the administration and enforcement of this chapter shall be paid from this fund. The fund shall be assessed a proportionate share of the administrative cost of the department of commerce in accordance with procedures prescribed by the director of commerce and approved by the director of budget and management and the assessment shall be paid from the operating fund to the division of administration fund.

If, in any biennium, the director of commerce determines that moneys in the operating fund exceed those necessary to fund the activities of the board and of the superintendent of real estate that relate to this chapter, he may pay the excess funds to the real estate appraiser recovery fund.

## **Oklahoma**

*Strength of Statute: Strong*

### §59-858-730. Oklahoma Certified Real Estate Appraisers Revolving Fund.

There is hereby created the "Oklahoma Certified Real Estate Appraisers Revolving Fund". The fund shall consist of all monies, other than appropriated monies, received by the Department from fees collected. The fund shall be a continuing fund not subject to fiscal year limitations and shall be subject to the administrative direction of the Department. Expenditures from the fund shall be

made upon warrants issued by the State Treasurer against claims made to the Director of State Finance. Monies may be expended for the operating expenses of the Department and the Board and shall be made pursuant to the laws of this state.

## **Oregon**

*Strength of Statute: Strong*

### 674.330 Fees; rules.

(1) The Appraiser Certification and Licensure Board shall collect from each state certified appraiser and each state licensed appraiser an annual registry fee as required by the federal Act and in an amount determined by the Appraisal Subcommittee. All annual registry fees collected by the board under this subsection shall be remitted to the Federal Financial Institutions Examination Council in accordance with the federal Act.

(2) Except as provided in subsection (1) of this section and in addition to any fees required by subsection (1) of this section, the board may establish by rule fees to be charged and collected under this chapter. The fees established by the board may include, but need not be limited to, fees:

- (a) For each certification or licensure examination administered under ORS 674.310.
- (b) For each certificate or license awarded or issued under ORS 674.310.
- (c) For each renewal of a certificate or license awarded or issued under ORS 674.310.
- (d) For each duplicate certificate or license, where the original license is lost or destroyed and affidavit made thereof.
- (e) For the renewal of an inactive certificate or license.
- (f) For the reactivation of an inactive certificate or license.
- (g) For late renewal, in addition to the renewal fee.
- (h) For a temporary registration provided for under ORS 674.120.
- (i) For each application.
- (j) For inactive status.
- (k) For each walk-in examination.
- (L) For each appraiser assistant registration.
- (m) For each appraiser assistant renewal.

674.340 Board funds; Federal Registry Fund.

(1) All moneys, fees and charges collected or received by the Appraiser Certification and Licensure Board pursuant to ORS 674.330 shall be paid into the account created by the board under ORS

182.470. All moneys in the account are appropriated continuously to the board to carry out the duties that the board is charged with administering.

(2) The Federal Registry Fund is established in the account created by the board under ORS 182.470. Proceeds received under ORS 674.330 (1) shall be deposited in the Federal Registry Fund. The moneys in the Federal Registry Fund shall be used solely as set forth in ORS 674.330 (1).

**Pennsylvania**

*Strength of Statute: Moderate*

Section 9. Fees.

(a) Imposition and increases. All fees established pursuant to this act shall be fixed by the board by regulation and shall be subject to the act of June 25, 1982 (P.L.633, No.181), known as the Regulatory Review Act. If the revenues raised by fees, fines and civil penalties imposed pursuant to this act are not sufficient to meet expenditures over a two year period, the board shall increase those fees by regulation so that the projected revenues will meet or exceed projected expenditures.

(b) Additional increases. If the Bureau of Professional and Occupational Affairs determines that the fees established by the board under subsection (a) are inadequate to meet the minimum enforcement efforts required by this act, then the bureau, after consultation with the board and subject to the Regulatory Review Act, shall increase the fees by regulation in an amount that adequate revenues are raised to meet the required enforcement effort.

(c) Additional fees. In addition to fees established pursuant to this act, the board is authorized to collect and transmit fees required pursuant to the Financial Institutions Reform, Recovery, and Enforcement Act of 1989 (Public Law 101-73, 103 Stat. 183).

**Rhode Island**

Not covered in statute

**South Carolina**

*Strength of Statute: Moderate*

SECTION 40-1-180. Failure to pay costs or fines; remittance of funds collected.

(A) All costs and fines imposed pursuant to this article and the respective boards' licensing acts are due and payable immediately upon imposition or at the time indicated by final order of the board. Unless the costs and fines are paid within sixty days after the order becomes final, the order

becomes a judgment and may be filed and executed upon in the same manner as a judgment in the court of common pleas, and the board may collect costs and attorneys' fees incurred in executing the judgment. Interest at the legal rate accrues on the amount due from the date imposed until the date paid.

(B) All fines and costs collected under this section must be remitted by the department to the State Treasurer and deposited in a special fund established for the department to defray the administrative costs associated with investigations and hearings under this article.

SECTION 40-60-180. Collection of costs and fines.

Costs and fines imposed pursuant to this chapter must be paid in accordance with and are subject to the collection and enforcement provisions of Section 40-1-180.

SECTION 40-60-50. Administrative support; lists of licensed and certified real estate appraisers; fees.

(A) The Department of Labor, Licensing and Regulation shall provide all administrative, fiscal, investigative, inspection, clerical, secretarial, and license renewal operations and activities of the board in accordance with Section 40-1-50.

(B) The board periodically shall transmit to the appraisal subcommittee as defined in Section 40-60-20(6), a roster of individuals who have become state licensed real estate appraisers and state certified real estate appraisers and shall collect and transmit any information or fees established under Public Law 101-73, Title XI, Real Estate Appraisal Reform Amendments. The board may collect a processing fee necessary to carry out its duties under this subsection.

(C) Initial fees must be established by the board in statute or regulation and shall serve as the basis for necessary adjustments in accordance with Section 40-1-50 to ensure that they are sufficient, but not excessive, to cover expenses, including the total of the direct and indirect costs to the State for the operations of the board.

(D) Application and license fees are payable to the department in advance and must accompany an examination application or a license application. Initial fees for exam, permit, license, or certificate must be paid by certified funds. Fees are nonrefundable.

**South Dakota**

*Strength of Statute: Moderate*

36-21B-5. Fees credited to Real Estate Appraisers Fund.

All moneys coming into the custody of the Department of Revenue and Regulation including certificate fees, renewal fees, reciprocity fees, penalty fees, and any other payments, shall be deposited by the department to the state treasurer weekly, or as prescribed by the state treasurer. The state treasurer shall credit the moneys to the South Dakota Real Estate Appraiser Fund. Expenditures from this fund shall only be paid on warrants drawn by the state auditor and approved by the department.

## **Tennessee**

*Strength of Statute:*     *Weak*

### 62-39-206. Fees. —

The commission shall charge and collect fees to be utilized to fund such activities as may be necessary to carry out the provisions of this chapter.

## **Texas**

*Strength of Statute:*     *Weak*

Sec. 1103.156. FEES. (a) The board may establish reasonable fees to administer this chapter, including:

- (1) an application fee for a certificate or license;
- (2) an examination fee;
- (3) a renewal fee for a certificate or license;
- (4) a registration fee for a nonresident real estate appraiser;
- (5) an application fee for an appraiser trainee;
- (6) an annual renewal fee for an appraiser trainee;
- (7) a fee for filing a request for a return to active status; and
- (8) other appropriate fees.

(b) The board shall collect from each certified or licensed appraiser an annual registry fee in an amount established by the board not to exceed the amount required by the Appraisal Subcommittee. The board shall deposit the registry fees to the credit of the appraiser registry account in the general revenue fund.

(c) The fees collected under Subsection (b) shall be sent to the Appraisal Subcommittee regularly as required by federal law.

## **Utah**

Not dealt with in statute

## **Vermont**

Not dealt with in statute

## **Virginia**

Not dealt with in statute

## **Washington**

*Strength of Statute: Strong*

### **RCW 18.140.260 Real estate appraiser commission account.**

The real estate appraiser commission account is created in the state treasury. All fees received by the department for certificates, licenses, registrations, renewals, examinations, and audits must be forwarded to the state treasurer who must credit the money to the account. All fines and civil penalties ordered pursuant to RCW [18.140.020](#), [18.140.160](#), or [18.235.110](#) against holders of certificates, licenses, or registrations issued under the provisions of this chapter must be paid to the account. All expenses incurred in carrying out the certification, licensing, and registration activities of the department under this chapter must be paid from the account as authorized by legislative appropriation. Any residue in the account shall be accumulated and shall not revert to the general fund at the end of the biennium. Any fund balance remaining in the general fund attributable to the real estate appraiser commission account as of July 1, 2003, must be transferred to the real estate appraiser commission account.

## **West Virginia**

*Strength of Statute: Moderate*

### **§30-38-8. Board fund; disposition of funds.**

(a) The West Virginia appraiser licensing and certification board fund established in the office of the state treasurer is continued.

(b) The disposition of all funds received by the board shall be governed by the provisions of section ten, article one of this chapter.

10.4. The board shall deposit all fees and revenues collected pursuant to this rule in a special fund that the board shall use solely for the purposes of paying the expenses incurred in connection with the administration of W. Va. Code §§30-38-1 et seq.

### **§30-1-10. Disposition of money fines; legislative audit.**

(a) The secretary of every board referred to in this chapter shall receive and account for all money which it derives pursuant to the provisions of this chapter which are applicable to it. With the exception of money received as fines, each board shall pay all money which is collected into a separate special fund of the state treasury which has been established for each board. This money shall be used exclusively by each board for purposes of administration and enforcement of its duties pursuant to this chapter. Any money received as fines shall be deposited into the general revenue fund of the state treasury. When the special fund of any board accumulates to an amount which exceeds twice the annual budget of the board or ten thousand dollars, whichever is greater, the excess amount shall be transferred by the state treasurer to the state general revenue fund.

(b) Every licensing board which is authorized by the provisions of this chapter shall be subject to audit by the office of the legislative auditor.

### **Wisconsin**

Not dealt with in statutes

### **Wyoming**

*Strength of Statute: Strong*

33-39-106. Additional powers and duties of the board; disposition of fees.

(a) The board shall:

(i) Receive applications for permits and certification;

(ii) Establish the administrative procedures for processing applications;

(iii) Maintain a registry of the names and addresses of people certified and issued a permit to practice under this act;

(iv) Retain records and all application materials;

(v) Repealed By Laws 2007, Ch. 184, 3.

(vi) Issue to each permittee a permit and pocket card in the size and form as it may approve. The permit and card shall remain the property of the state, and, upon suspension or revocation of the permit to practice pursuant to this act, shall be returned immediately to the board;

(vii) Require criminal history record background checks on applicants for permits under this act.

(b) All fees collected by the board shall be deposited in the state treasury. The state treasurer shall deposit the fees to the credit of the certified real estate appraiser board account. Disbursements from the account shall not exceed the monies credited to it. The real estate commission director shall review and pay appropriate charges against the account for services provided to the certified real estate appraiser board by the real estate commission or its staff and for payment of costs of the board.