

JAN 31 2001

COMMERCE AND REGULATION

HOUSE FILE

136

BY HUSER

(COMPANION TO SF 60 BY MADDOX)

Passed House, Date \_\_\_\_\_ Passed Senate, Date \_\_\_\_\_

Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_

Approved \_\_\_\_\_

**A BILL FOR**

1 An Act relating to the mandatory certification of real estate  
2 appraisers and providing exceptions.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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HF 136

1 Section 1. Section 543D.1, Code 2001, is amended to read  
2 as follows:

3 543D.1 SHORT TITLE.

4 This chapter shall be known and may be cited as the "Iowa  
5 ~~Voluntary~~ Appraisal Standards and Appraiser Certification  
6 Law".

7 Sec. 2. Section 543D.3, Code 2001, is amended to read as  
8 follows:

9 543D.3 PURPOSES -- ~~Voluntary~~ MANDATORY CERTIFICATION.

10 The purpose of this chapter is to establish standards for  
11 real estate appraisals and a procedure for the ~~voluntary~~  
12 mandatory certification of real estate appraisers.

13 A Except as otherwise provided in this chapter, only a  
14 person who is ~~not~~ a certified real estate appraiser under this  
15 chapter may shall appraise real estate for compensation ~~if~~  
16 ~~certification-is-not-required-by-this-chapter-or-by-federal-or~~  
17 ~~state-law,-rule,-or-policy.~~ However, ~~an~~ An employee of the  
18 state department of transportation whose duties include  
19 appraisals of property pursuant to chapter 6B must be a  
20 certified real estate appraiser under this chapter.

21 Sec. 3. NEW SECTION. 543D.20 EXCLUSIONS FROM  
22 APPLICABILITY OF CHAPTER.

23 1. This chapter does not apply to the following:

24 a. An individual licensed under chapter 543B who does not  
25 provide an appraisal, but who in the ordinary course of  
26 business provides an opinion of value, valuation, analysis, or  
27 a recommendation of price or pricing of real estate in the  
28 pursuit of a listing, when the opinion is provided to assist a  
29 potential purchaser in developing a purchase offer or to  
30 provide a broker's price opinion, whether or not the opinion  
31 is provided for a fee. Providing an opinion pursuant to this  
32 paragraph is not subject to the uniform standard of  
33 professional appraisal practices adopted by the appraisal  
34 foundation.

35 b. An employee of any of the following:

1 (1) The federal government.

2 (2) The state, or any agency, department, or political  
3 subdivision of the state, except as provided for an employee  
4 of the state department of transportation pursuant to section  
5 543D.3.

6 (3) A financial institution as defined in section 535A.1.

7 (4) An insurance company authorized to transact the  
8 business of insurance in this state.

9 2. An employee under subsection 1, paragraph "a", may  
10 render an estimate or opinion of value of real estate or an  
11 interest in real estate when such estimate or opinion is  
12 rendered for the purpose of real estate taxation.

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EXPLANATION

14 This bill amends Code chapter 543D relating to the  
15 certification of real estate appraisers and requires  
16 appraisers to be certified under that Code chapter.  
17 Currently, appraiser certification is voluntary except for  
18 department of transportation employees.

19 New Code section 543D.20 is created and excludes certain  
20 individuals from the provisions of Code chapter 543D,  
21 including a licensed real estate broker or salesperson who  
22 does not provide an appraisal, but who in the ordinary course  
23 of business provides an opinion of value, valuation, analysis,  
24 or a recommendation of price or pricing which is provided in  
25 the pursuit of a listing, to assist a potential purchaser in  
26 developing a purchase offer, or to provide a broker's price  
27 opinion, whether or not such opinion is provided for a fee; an  
28 employee of the federal government, state government, or any  
29 agency, department, or political subdivision of the state; an  
30 employee of a financial institution; or an employee of an  
31 insurance company authorized to transact the business of  
32 insurance in this state.

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