

SENATE BILL No. 270

DIGEST OF INTRODUCED BILL

Citations Affected: IC 25-34.1-2-1; IC 25-34.1-8.

Synopsis: Real estate brokers and appraisers. Provides that after June 30, 2015: (1) the real estate commission (commission) must include one member who is licensed or certified as a real estate appraiser; and (2) the real estate appraiser licensure and certification board (board) must include one member who holds a broker's license issued by the commission. Makes changes to the statutes establishing the commission and the board to implement these changes.

Effective: Upon passage; July 1, 2015.

Kruse

January 7, 2015, read first time and referred to Committee on Commerce & Technology.



First Regular Session 119th General Assembly (2015)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2014 Regular Session and 2014 Second Regular Technical Session of the General Assembly.

SENATE BILL No. 270

A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 25-34.1-2-1 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 1. (a) The Indiana
3 real estate commission is created.
4 (b) The commission consists of the following:
5 (1) Nine (9) district members. Each Indiana congressional district
6 must be represented by one (1) individual appointed under this
7 subdivision.
8 (2) One (1) real estate member at large.
9 (3) Two (2) citizen members at large.
10 (4) **After June 30, 2015, one (1) member who is licensed or**
11 **certified as a real estate appraiser under the real estate**
12 **licensure and certification program established under**
13 **IC 25-34.1-3-8.**
14 A member described in subdivision (1) must be a resident of the
15 represented district for not less than one (1) year. A member described
16 in subdivision (1) or (2) must have engaged in business as a ~~license~~



1 **licensed broker for not less than five (5) years. A member described**
 2 **in subdivision (4) must have been licensed or certified as a real**
 3 **estate appraiser under the real estate licensure and certification**
 4 **program established under IC 25-34.1-3-8 for at least five (5) years**
 5 **at the time of the member's appointment to the commission under**
 6 **this section.** Citizen members at large shall be appointed to represent
 7 the general public, must be residents of Indiana, and must have never
 8 been associated with the real estate business in any way other than as
 9 a consumer.

10 (c) Each member of the commission shall be appointed by the
 11 governor and shall serve a four (4) year term. **However, the governor**
 12 **may appoint the initial member under subsection (b)(4) to a term**
 13 **of less than four (4) years to provide for members of the**
 14 **commission to serve staggered terms.** If a successor has not been
 15 appointed, the current member shall serve until a successor is
 16 appointed and qualified. If a vacancy occurs on the commission, the
 17 governor shall appoint an individual to serve the unexpired term of the
 18 previous member and until a successor is appointed and qualified.

19 (d) A member of the commission may not hold a state or federal
 20 elective office.

21 SECTION 2. IC 25-34.1-8-2 IS AMENDED TO READ AS
 22 FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 2. (a) The board
 23 consists of ~~seven (7)~~ **eight (8)** members appointed by the governor as
 24 follows:

- 25 (1) Five (5) members who are real estate appraisers:
 26 (A) who are licensed or certified under this article;
 27 (B) who have at least five (5) years experience as real estate
 28 appraisers; and
 29 (C) at least three (3) of whom are certified appraisers.
 30 (2) One (1) ~~representative member~~ **member** who represents lenders
 31 qualified to:
 32 (A) make Federal Housing Administration insured loans and
 33 Veterans Administration guaranteed loans; and
 34 (B) sell loans to the Federal National Mortgage Association
 35 and the Federal Home Loan Mortgage Corporation.
 36 (3) One (1) member who is not associated with the real estate
 37 business in any way other than as a consumer.
 38 **(4) After June 30, 2015, one (1) member who is a licensee (as**
 39 **defined in IC 25-34.1-1-2(6)). A member appointed under this**
 40 **subdivision must have engaged in business as a licensed**
 41 **broker for at least five (5) years at the time of the member's**
 42 **appointment to the board under this section.**



1 (b) When making appointments under subsection (a), the governor
2 shall consider the geographic areas represented on the board.

3 SECTION 3. IC 25-34.1-8-3 IS AMENDED TO READ AS
4 FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 3. Each board
5 member serves for a term of four (4) years. **However, the governor**
6 **may appoint the initial member under section 2(a)(4) of this**
7 **chapter to a term of less than four (4) years to provide for**
8 **members of the board to serve staggered terms.**

9 SECTION 4. IC 25-34.1-8-4 IS AMENDED TO READ AS
10 FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 4. (a) The board must
11 have a quorum to transact business.

12 (b) ~~Four (4)~~ **Five (5)** members of the board constitute a quorum.

13 SECTION 5. IC 25-34.1-8-5 IS AMENDED TO READ AS
14 FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 5. The affirmative vote
15 of ~~four (4)~~ **five (5)** members of the board is required for the board to
16 take action.

17 SECTION 6. **An emergency is declared for this act.**

