

1 **ENROLLED**

2 COMMITTEE SUBSTITUTE

3 for

4 **H. B. 2730**

5
6 (By Delegates Morgan, Stephens, Azinger, Diserio,
7 Ferns, Jones, Paxton, Perry, D. Poling, Romine and Swartzmiller)
8 [Passed April 13, 2013; in effect ninety days from passage.]
9

10 AN ACT to amend and reenact §30-38-5 of the Code of West Virginia,
11 1931, as amended; and to amend said code by adding thereto a
12 new section, designated §30-38-19, all relating to
13 requirements to perform appraisals; providing requirements for
14 licensure or certification by reciprocity; and clarifying the
15 requirements for temporary permits.

16 *Be it enacted by the Legislature of West Virginia:*

17 That §30-38-5 of the Code of West Virginia, 1931, as amended,
18 be amended and reenacted; and that said code be amended by adding
19 thereto a new section, designated §30-38-19, all to read as
20 follows:

21 **ARTICLE 38. THE REAL ESTATE APPRAISER LICENSING AND CERTIFICATION**
22 **ACT.**

23 **§30-38-5. Reciprocal credentialing.**

24 The board shall issue a reciprocal license or certification to
25 an applicant from another state if the applicant holds a valid
26 license or certification from a state whose licensing and
27 certification program:

1 (1) Is in compliance with the provisions of Title XI of the
2 Financial Institutions Reform, Recovery and Enforcement Act of 1989
3 [12 U.S.C. 3331-3351] as amended by the Dodd-Frank Wall Street
4 Reform and Consumer Protection Act of 2010; and

5 (2) That has credentialing requirements that meet or exceed
6 those of West Virginia.

7 **§30-38-19. Temporary permit.**

8 (a) The board may issue a temporary permit to perform one
9 specific assignment relating to the appraisal of real estate or
10 real property in this state to an applicant who:

11 (1) Completes an application;

12 (2) Pays a nonrefundable application fee;

13 (3) Provides an irrevocable consent that service of process
14 upon him or her may be made by service of process to the Secretary
15 of State if, in an action against the applicant in a court of this
16 state arising out of the applicant's activities as a real estate
17 appraiser in this state, the plaintiff cannot, in the exercise of
18 due diligence, effect personal service upon the applicant; and

19 (4) Meets the requirements for a temporary permit as
20 established by the board by legislative rule.

21 (b) The temporary permit is subject to the terms, conditions
and limitations set forth by the board by legislative rule.