

By: Representatives Dedeaux, Beckett

To: Judiciary B

HOUSE BILL NO. 710

1 AN ACT TO AMEND SECTION 73-34-7, MISSISSIPPI CODE OF 1972, TO
2 CLARIFY THE NUMBER OF MEMBERS FROM THE SAME PROFESSIONAL APPRAISAL
3 ORGANIZATION WHO MAY BE APPOINTED BY THE GOVERNOR TO THE
4 MISSISSIPPI REAL ESTATE COMMISSION; AND FOR RELATED PURPOSES.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

6 **SECTION 1.** Section 73-34-7, Mississippi Code of 1972, is
7 amended as follows:

8 73-34-7. (1) (a) There is hereby established, as an
9 adjunct board to the Mississippi Real Estate Commission, a board
10 to be known as the Mississippi Real Estate Appraiser Licensing and
11 Certification Board, which shall consist of six (6) members. Five
12 (5) members shall be appointed by the Governor, with the advice
13 and consent of the Senate, one (1) from each congressional
14 district as such district existed on January 1, 1989; the
15 Administrator of the Mississippi Real Estate Commission shall be
16 an ex officio, nonvoting member.

17 (b) The initial appointments made by the Governor shall
18 be in compliance with guidelines issued by the Federal Financial
19 Institutions Examination Council or its designee; and the
20 appointees shall serve for terms ending on December 31, 1991. Not
21 more than two (2) positions on the board shall be filled with
22 appointees who hold membership in the same professional appraisal
23 organization.

24 (c) From and after January 1, 1992, gubernatorial
25 appointments shall be made pursuant to the procedure established
26 in this paragraph (c). The five (5) members shall be appointed by
27 the Governor, with the advice and consent of the Senate, one (1)
28 from each congressional district as such district existed on

29 January 1, 1992. At least three (3) members shall be certified
30 general real estate appraisers or at least two (2) members shall
31 be certified general real estate appraisers and one (1) member may
32 be a certified residential real estate appraiser. Not more than
33 two (2) positions on the board shall be filled with appointees who
34 hold membership in the same professional appraisal organization.
35 Of the initial appointments made pursuant to this paragraph (c),
36 two (2) shall serve for three (3) years, two (2) shall serve for
37 two (2) years and one (1) shall serve for one (1) year.
38 Thereafter, each member shall serve for a term of four (4) years.
39 Upon the expiration of a member's term, such member shall continue
40 to serve until the appointment and qualification of a successor.
41 Commencing with appointments made in 1992, no person shall be
42 appointed as a member of the board for more than two (2)
43 consecutive terms. The Governor may remove an appointed member
44 for cause.

45 (2) The board shall meet not less than twice a calendar
46 year. Written notice shall be given to each member of the time
47 and place of each meeting of the board at least ten (10) days
48 prior to the scheduled date of the meeting.

49 (3) A quorum of the board shall be three (3) voting members;
50 commencing January 1, 1992, at least one (1) present must be a
51 licensed certified general real estate appraiser or a certified
52 residential real estate appraiser. Appointed members of the board
53 are entitled to mileage and actual expenses as authorized by
54 Section 25-3-41 and per diem as provided by Section 25-3-69; ex
55 officio members are entitled to mileage and actual expenses only.

56 (4) The board shall elect a chairman and such other officers
57 as it deems necessary. Such officers shall serve as such for
58 terms established by the board.

59 **SECTION 2.** This act shall take effect and be in force from
60 and after July 1, 2004.