

By: Representative Morris

To: Judiciary B

HOUSE BILL NO. 1253

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 APPRAISER LICENSING AND CERTIFICATION
5 BOARD; AND FOR RELATED PURPOSES.

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

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

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

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

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

29 from each congressional district as such district existed on July
30 1, 2004, and one (1) from the state at large. The provisions of
31 this paragraph (c) shall not affect persons who are members of the
32 Real Estate Appraiser Licensing and Certification Board as of
33 January 1, 2004. Such member shall serve out their respective
34 terms, upon the expiration of which the provisions of this
35 paragraph (c) shall take effect. Nothing provided herein shall be
36 construed as prohibiting the reappointment of any member of the
37 said board.

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

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

58 (3) A quorum of the board shall be three (3) voting members;
59 commencing January 1, 1992, at least one (1) present must be a
60 licensed certified general real estate appraiser or a certified
61 residential real estate appraiser. Appointed members of the board

62 are entitled to mileage and actual expenses as authorized by
63 Section 25-3-41 and per diem as provided by Section 25-3-69; ex
64 officio members are entitled to mileage and actual expenses only.

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

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