

By: Representative Mims

To: Judiciary A

HOUSE BILL NO. 1342

1 AN ACT TO AMEND SECTION 73-34-129, MISSISSIPPI CODE OF 1972,
2 TO REMOVE THE NINETY-DAY EXCEPTION TO THE PROHIBITION ON REMOVING
3 INDEPENDENT APPRAISERS FROM THE APPRAISER PANEL OF AN APPRAISAL
4 MANAGEMENT COMPANY FOR INDEPENDENT CONTRACTORS WHO ARE ADDED TO
5 THE APPRAISER PANEL; AND FOR RELATED PURPOSES.

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

7 **SECTION 1.** Section 73-34-129, Mississippi Code of 1972, is
8 amended as follows:

9 73-34-129. (1) * * * An appraisal management company may
10 not remove an appraiser from its appraiser panel, or otherwise
11 refuse to assign requests for real estate appraisal services to an
12 independent appraiser without:

13 (* * * a) Notifying the appraiser in writing of the
14 reasons why the appraiser is being removed from the appraiser
15 panel of the appraisal management company;

16 (* * * b) If the appraiser is being removed from the
17 panel for illegal conduct, violation of USPAP, or a violation of
18 state licensing standards, notifying the appraiser of the nature
19 of the alleged conduct or violation;



20 (* * *c) Providing an opportunity for the appraiser to
21 respond to the notification of the appraisal management company.

22 (2) An appraiser who is removed from the appraiser panel of
23 an appraisal management company for alleged illegal conduct,
24 violation of USPAP, or violation of state licensing standards, may
25 file a complaint with the board for a review of the decision of
26 the appraisal management company. The scope of the commission's
27 review in any such case is limited to determining whether the
28 appraisal management company has complied with subsection (1) and
29 whether illegal conduct, a violation of USPAP, or a violation of
30 state licensing standards has occurred.

31 (3) If an appraiser files a complaint against an appraisal
32 management company under subsection (2), the commission shall
33 adjudicate the complaint within one hundred eighty (180) days.

34 (4) If after opportunity for hearing and review, the
35 commission determines that an appraisal management company acted
36 improperly in removing the appraiser from the appraiser panel, or
37 that the appraiser did not commit a violation of law, a violation
38 of USPAP, or a violation of state licensing standards, the
39 commission shall:

40 (i) Provide written findings to the involved
41 parties;

42 (ii) Provide an opportunity for the appraisal
43 management company and/or the appraiser to respond to the
44 findings; and



45 (iii) Make recommendations for action.

46 **SECTION 2.** This act shall take effect and be in force from
47 and after July 1, 2022.

