

By: Senator(s) Sparks

To: Business and Financial
Institutions; Government
Structure

SENATE BILL NO. 2788

1 AN ACT TO REENACT AND AMEND SECTION 73-60-5, MISSISSIPPI CODE
2 OF 1972, WHICH WAS REPEALED BY OPERATION OF LAW IN 2013, TO REVIVE
3 THE HOME INSPECTOR REGULATORY BOARD; TO PROVIDE THAT THE POWERS
4 AND DUTIES OF THE MISSISSIPPI REAL ESTATE COMMISSION IN REGARDS TO
5 HOME INSPECTORS SHALL BE TRANSFERRED TO THE MISSISSIPPI REAL
6 ESTATE APPRAISAL BOARD; TO AMEND SECTIONS 73-60-1, 73-60-3,
7 73-60-7, 73-60-9, 73-60-11 AND 73-60-13, MISSISSIPPI CODE OF 1972,
8 TO CONFORM TO THE PROVISIONS OF THIS ACT; TO BRING FORWARD SECTION
9 73-60-17, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE
10 AMENDMENT; TO AMEND SECTIONS 73-60-21, 73-60-23, 73-60-27,
11 73-60-29, 73-60-31, 73-60-33, 73-60-35, 73-60-37, 73-60-39,
12 73-60-41, 73-60-45, 73-60-47 AND 73-34-9, MISSISSIPPI CODE OF
13 1972, TO CONFORM TO THE PROVISIONS OF THIS ACT; AND FOR RELATED
14 PURPOSES.

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

16 **SECTION 1.** Section 73-60-5, Mississippi Code of 1972, which
17 was repealed by operation of law in 2013, is reenacted and amended
18 as follows:

19 73-60-5. (1) There is hereby created, as an adjunct board
20 to the Mississippi Real Estate * * * Appraisal Board, a board to
21 be known as the Home Inspector Regulatory Board, which shall
22 consist of five (5) members appointed by the Governor, with the
23 advice and consent of the Senate, to include one (1)
24 representative from each congressional district, one (1) from the



state at large and all shall be licensed home inspectors. * * *

Two (2) members shall be appointed to serve for a term of three (3) years, two (2) members shall be appointed to serve for a term of two (2) years and one (1) member shall be appointed to serve for a term of one (1) year. Thereafter, each member shall be appointed to serve for a term of four (4) years.

(2) The Home Inspector Regulatory Board shall advise the * * * Mississippi Real Estate Appraisal Board or its designee on all matters relating to this chapter. The Home Inspector Regulatory Board shall meet no less than four (4) times annually and shall be reimbursed for expenses on a per diem basis pursuant to state law.

SECTION 2. Section 73-60-1, Mississippi Code of 1972, is amended as follows:

73-60-1. The following words shall have the meaning ascribed in this section unless the context clearly indicates otherwise:

(a) "Client" means any person who engages or seeks to engage the services of a home inspector for the purpose of obtaining an inspection of and written report on the conditions of a residential building.

(b) "Home inspection" means the process by which a home inspector examines the observable systems and components of improvements to residential real property that are readily accessible.



(c) "Home inspection report" means a written evaluation prepared and issued by a home inspector concerning the condition of the improvements to residential real property.

(d) "Home inspector" means any person, who for compensation, conducts a home inspection.

(e) "Residential real property" means a structure intended to be, or that is in fact, used as a residence and consisting of one (1) to four (4) family dwelling units.

(f) " * * * Appraisal Board" means the Mississippi Real Estate * * * Appraisal Board as established under Section * * * 73-34-8, Mississippi Code of 1972.

(g) "Home Inspector Board" means the Home Inspector Regulatory Board that is created pursuant to this chapter.

SECTION 3. Section 73-60-3, Mississippi Code of 1972, is amended as follows:

73-60-3. This chapter shall be administered and enforced by the Mississippi Real Estate * * * Appraisal Board, which shall have the duties and powers to:

(a) Receive applications for licensure as a home inspector under this chapter, establish appropriate administrative procedures for the processing of applications and issue licenses to qualified applicants pursuant to the provisions of this chapter;

(b) Implement recommendations made to the * * * Mississippi Real Estate Appraisal Board by the Home Inspector



74 Regulatory Board with respect to upgrading and improving the
75 experience, education and examination requirements that are
76 required for a home inspector license;

77 (c) Adopt and publish a code of ethics and standards of
78 practice for persons licensed under this chapter;

79 (d) Collect all licensing fees required or permitted by
80 this chapter;

81 (e) Take appropriate action upon a decision and the
82 related findings of fact made by the * * * Home Inspector Board,
83 or a hearing officer employed by the * * * Home Inspector Board,
84 if, after an administrative hearing, the * * * Home Inspector
85 Board or hearing officer (i) determines that a licensed home
86 inspector under this chapter has violated the code of ethics and
87 standards established under this section, and (ii) recommends that
88 the license of the home inspector be suspended or revoked, that
89 renewal be denied, or that some other disciplinary action be
90 taken;

91 (f) Develop and adopt a licensing examination, which
92 would meet nationally recognized standards, to determine the
93 knowledge of an applicant of the home inspector profession;

94 (g) Solicit bids and enter into contracts with
95 one * * * or more educational testing services or organizations
96 approved by the Home Inspector Board for the preparation of
97 questions and answers for licensure examinations under this
98 chapter;



99 (h) Develop the application and license forms;
100 (i) Adopt rules and regulations for the administration
101 of this chapter that are not inconsistent with the provisions of
102 this chapter or the Constitution and laws of Mississippi or of the
103 United States;
104 (j) Employ an assistant to the * * * Appraisal Board
105 administrator who shall keep a record of all proceedings,
106 transactions, communications and official acts of the * * *
107 Appraisal Board and perform such other duties as the * * *
108 Appraisal Board may require; and
109 (k) Employ such other staff and technical assistance as
110 may be necessary to properly administer the requirements of this
111 chapter.

112 **SECTION 4.** Section 73-60-7, Mississippi Code of 1972, is
113 amended as follows:

114 73-60-7. (1) The * * * Home Inspector Regulatory Board
115 shall have the duties and powers to:

116 (a) Be responsible for matters relating to home
117 inspectors' code of ethics and standards, home inspector
118 qualifications, testing standards and disciplinary functions.

119 (b) Hold meetings, public hearings and administrative
120 hearings and prepare examination specifications for licensed home
121 inspectors.

122 (c) Conduct investigations, subpoena individuals and
123 records, administer oaths, take testimony and receive evidence and



to do all other things necessary and proper to discipline a person licensed under this chapter and to enforce this chapter. In case of contumacy by, or refusal to obey a subpoena issued to, any person, the Chancery Court of the First Judicial District of Hinds County, Mississippi, upon application by the * * * Appraisal Board, may issue to this person an order requiring him or her to appear before the * * * Appraisal Board, or the officer designated by him or her, there to produce documentary evidence if so ordered or to give evidence touching the matter under investigation or in question. Failure to obey the order of the court may be punished by the court as contempt of court.

(d) Further define by regulation, the type of educational experience, home inspector experience and equivalent experience that will meet the statutory requirements.

(e) * * * Recommend suspension or revocation of licenses pursuant to the disciplinary proceedings provided for in this chapter.

(f) Present an annual budget to the Mississippi Legislature for approval. A copy of the budget shall be given to the * * * Appraisal Board.

(2) The members of the * * * Appraisal Board and the Home Inspector Board shall be immune from any civil action or criminal prosecution for initiating or assisting in any lawful investigation of the actions of, or participating in any disciplinary proceeding concerning, a home inspector licensed



pursuant to this chapter, provided that such action is taken without malicious intent and in the reasonable belief that the action was taken pursuant to the powers and duties vested in the members of the * * * Appraisal Board and Home Inspector Board under this chapter.

SECTION 5. Section 73-60-9, Mississippi Code of 1972, is amended as follows:

73-60-9. (1) No person may engage in or transact any home inspection business, or hold himself or herself out to the public as a home inspector, or offer to engage in or transact any home inspection business in this state unless the person is licensed by the * * * Appraisal Board.

(2) No license shall be issued under the provisions of this chapter to a partnership, association, corporation, limited liability company or partnership, firm or group. However, nothing in this chapter precludes a licensed home inspector from performing home inspection for and on behalf of a partnership, association, corporation, limited liability company or partnership, firm or group or from entering into contracts or enforcing contracts as partnership, association, corporation, limited liability company or partnership, firm or group.

SECTION 6. Section 73-60-11, Mississippi Code of 1972, is amended as follows:

73-60-11. (1) An application for an original license shall be made in writing to the * * * Appraisal Board on forms as



the * * * Appraisal Board may prescribe and shall be accompanied by the required fee and proof of liability insurance and errors and omissions insurance.

(2) To qualify for a license under this chapter, a person shall:

(a) Have successfully completed high school or its equivalent;

(b) Be at least twenty-one (21) years of age;

(c) Have successfully completed an approved course of study of at least sixty (60) hours that may include field work as prescribed by the * * * Appraisal Board;

(d) Have passed an examination as prescribed by the * * * Appraisal Board;

(e) Provide a certificate of insurance for errors and omissions and general liability insurance (in the required amounts) pursuant to Section 73-60-15; and

(f) Have passed a background investigation pursuant to Section 73-60-47.

(3) The * * * Appraisal Board must review each application for a license submitted to it and must notify each applicant that the application is either accepted or rejected. The * * * Appraisal Board must send notification of acceptance or rejections to the applicant at the address provided by the applicant in the application within thirty (30) days of receiving the application.



If the application is rejected, the notice sent to the applicant must state the reasons for the rejection.

SECTION 7. Section 73-60-13, Mississippi Code of 1972, is amended as follows:

73-60-13. (1) All home inspectors are required to carry general liability insurance and errors and omissions insurance.

(2) Such policy and certificates shall provide that cancellation or nonrenewal of the policy shall not be effective unless and until at least ten (10) days' notice of cancellation or nonrenewal has been received in writing by the * * * Appraisal Board.

(3) Insurance coverage limits shall be no less than Two Hundred Fifty Thousand Dollars (\$250,000.00) for general liability and no less than Two Hundred Fifty Thousand Dollars (\$250,000.00) for errors and omissions, per occurrence.

SECTION 8. Section 73-60-17, Mississippi Code of 1972, is brought forward as follows:

73-60-17. (1) A licensed home inspector is required to follow the Standards of Practice and Code of Ethics as adopted and published by the commission.

(2) A home inspection report must be issued by a home inspector to a client as specified in the Standards of Practice.

SECTION 9. Section 73-60-21, Mississippi Code of 1972, is amended as follows:



73-60-21. Except as provided in Section 33-1-39, a license under this chapter shall expire two (2) years after its date of issuance. The * * * Appraisal Board may issue a renewal license without examination, on submission of a completed renewal application, payment of the required license renewal fee, and successful completion of continuing education requirements.

SECTION 10. Section 73-60-23, Mississippi Code of 1972, is amended as follows:

73-60-23. (1) Each person who applies for renewal of his or her license shall successfully complete home inspector continuing education courses approved by the * * * Appraisal Board at the rate of twenty (20) hours every two (2) years. No license may be renewed except upon the successful completion of the required courses or their equivalent or upon a waiver of those requirements for good cause shown as determined by the * * * Appraisal Board pursuant to rule with the recommendation of the Home Inspector Board.

(2) The * * * Appraisal Board shall establish criteria for certifying providers of continuing education for home inspectors. All such continuing education providers must be approved by the * * * Appraisal Board.

(3) Each renewal applicant shall certify, on his or her renewal application, full compliance with continuing education requirements. The provider of approval of continuing education



shall retain and submit to the commission, after the completion of each course, evidence of those successfully completing the course.

SECTION 11. Section 73-60-27, Mississippi Code of 1972, is amended as follows:

73-60-27. (1) On or after July 1, 2001, any person who acts as a home inspector, or holds himself or herself out as a home inspector, without being licensed under this chapter, shall, in addition to any other penalty provided by law, be liable for an administrative fine not to exceed One Thousand Dollars (\$1,000.00) for a first offense and not to exceed Five Thousand Dollars (\$5,000.00) for a second or subsequent offense as determined by the * * * Appraisal Board.

(2) The * * * Appraisal Board has the authority and power to investigate any and all unlicensed activity.

(3) No licensed home inspector may perform repairs on a residential building as part of or result of the home inspection.

(4) After October 1, 2001, no person licensed under this chapter shall offer to perform or perform inspection services on new construction for a fee without having first obtained a residential home builders license from the Mississippi Board of Contractors and certification by the Southern Building Code Congress or any other national professional code organization.

SECTION 12. Section 73-60-29, Mississippi Code of 1972, is amended as follows:



270 73-60-29. The * * * Appraisal Board shall charge and collect
271 appropriate fees for its services under this chapter. The fees
272 charged shall not exceed the amounts indicated below and shall be
273 set by the * * * Appraisal Board.

274 **LICENSURE FEES:**

275 Application and examination.....\$175.00
276 Initial and renewal license.....\$325.00
277 Delinquent renewal penalty.....100% of renewal fee

278 **SERVICES:**

279 For each change of address.....\$ 25.00
280 For each duplicate license.....\$ 25.00
281 To change status as a licensee from active to inactive.....\$ 25.00
282 For each bad check received by the commission.....\$ 25.00

283 All fees charged and collected under this chapter shall be
284 paid by the * * * Appraisal Board at least once a week,
285 accompanied by a detailed statement thereof, to the credit of the
286 fund known as the "Home Inspector License Fund," hereby created in
287 the State Treasury. All monies which are collected under this
288 chapter shall be paid into and credited to such fund for the use
289 of the * * * Home Inspector Board in carrying out the provisions
290 of the chapter, including the payment of salaries and expenses,
291 printing an annual directory of licensees, and for educational
292 purposes. All interest earned on the Home Inspector License Fund
293 shall be retained by the * * * Home Inspector Board for purposes
294 consistent with this chapter. The Appraisal Board shall submit a



monthly statement to the Home Inspector Board detailing any expenses which it bears as a share in the expense of administering this chapter, for which expenses it shall be reimbursed in the amount approved by the Home Inspector Board. The * * * Appraisal Board shall prepare an annual statement of income and expenses related to its regulatory-related administrative function.

SECTION 13. Section 73-60-31, Mississippi Code of 1972, is amended as follows:

73-60-31. The * * * Appraisal Board may refuse to issue * * *, renew, or may revoke or suspend, a license or may place on probation, censure, reprimand * * * or take other disciplinary action with regard to any license issued under this chapter, including the issuance of fines for each violation, for any one (1) or combination of the following causes:

(a) Violations of this chapter or the * * * Appraisal Board's rules promulgated pursuant hereto;

(b) Violation of terms of license probation;

(c) Conviction of a felony or making a plea of guilty or nolo contendere within five (5) years prior to the date of application;

(d) Operating without adequate insurance coverage required for licensees;

(e) Fraud in the procurement or performance of a contract to conduct a home inspection; and



(f) Failure to submit to or pass a background investigation pursuant to Section 73-60-47.

SECTION 14. Section 73-60-33, Mississippi Code of 1972, is amended as follows:

73-60-33. (1) The * * * Appraisal Board may investigate the actions of an applicant or of a person holding or claiming to hold a license upon complaint in writing of any person setting forth facts which, if proved, would constitute a violation of this chapter or rules promulgated hereunder.

(2) Whenever it appears to the * * * Appraisal Board that any person has engaged or is about to engage in any act or practice constituting a violation of any provision of this chapter or any rule or order hereunder, they may, in their discretion, seek any or all of the following remedies:

(a) When in the public interest to prevent harm to the welfare and safety of the public, issue a cease and desist order, with or without a prior hearing against the person or persons engaged in the prohibited activities, directing them to cease and desist from further illegal activity; or

(b) Bring an action in chancery court to enjoin the acts or practices to enforce compliance with this chapter or any rule or order hereunder. Upon a proper showing a permanent or temporary injunction, restraining order or writ of mandamus shall be granted and a receiver or conservator may be appointed for the defendant or the defendant's assets.



(3) With the exception of actions authorized by subsection (2) (a) and (b) above, the * * * Appraisal Board shall, before taking any disciplinary action that it may deem proper with regard to a license, at least twenty (20) days prior to the date set for a hearing, notify the applicant or licensee in writing of any charges made and the time and place for a hearing of the charges. Such written notice may be served by personal delivery or certified or registered mail at the licensee's last known address as reflected on their licensing application.

(4) The * * * Appraisal Board shall, after a hearing, issue an order either issuing, renewing, refusing to issue or renew, reinstating * * * or revoking the license.

SECTION 15. Section 73-60-35, Mississippi Code of 1972, is amended as follows:

73-60-35. (1) Upon the revocation or suspension of a license, the licensee shall immediately surrender the license to the * * * Appraisal Board. If the licensee fails to do so, the * * * Appraisal Board shall have the right to seize the license.

(2) If circumstances of suspension or revocation so indicate, the * * * Appraisal Board may require an examination of the licensee before restoring his license.

SECTION 16. Section 73-60-37, Mississippi Code of 1972, is amended as follows:



73-60-37. The * * * Appraisal Board shall maintain a roster of names and addresses of all licenses and of all persons whose licenses have been suspended or revoked. This roster shall be published on a web site designated by the * * * Appraisal Board. All licensees under this chapter shall inform the * * * Appraisal Board of any change in their business or home address.

SECTION 17. Section 73-60-39, Mississippi Code of 1972, is amended as follows:

73-60-39. A person already engaged in the business of performing home inspections on July 1, 2001, is allowed ninety (90) days from July 1, 2001, to comply with the provisions of this chapter for the purpose of qualifying to perform home inspections. Such person will qualify for a license without being required to take an examination if he or she can document to the satisfaction of the * * * Appraisal Board that he or she has conducted not less than twenty (20) fee-paid home inspections in the previous twelve (12) months or one hundred (100) fee-paid home inspections over his or her career or that he or she has received certification as a home inspector from a nationally recognized education center in a curriculum approved by the United States Department of Housing and Urban Development and the United States Department of Education.

SECTION 18. Section 73-60-41, Mississippi Code of 1972, is amended as follows:



73-60-41. The information contained in or filed with any registration application or renewal application is subject to public disclosure. Information in the possession of, submitted to or obtained by the * * * Appraisal Board in connection with any investigation or examination under this chapter shall be confidential and exempt from the requirements of the Mississippi Public Records Act of 1983. No such information may be disclosed by the * * * Appraisal Board or its employees unless necessary or appropriate in connection with a particular investigation or proceeding under this chapter or for any law enforcement purpose, in the absence of an order of a court of competent jurisdiction requiring such disclosure.

SECTION 19. Section 73-60-45, Mississippi Code of 1972, is amended as follows:

73-60-45. The * * * Home Inspector Board may employ legal counsel to represent it in any proceedings when legal counsel is required.

SECTION 20. Section 73-60-47, Mississippi Code of 1972, is amended as follows:

73-60-47. (1) (a) To qualify for a Mississippi home inspector license, an applicant must have successfully been cleared for licensure through an investigation that shall consist of a determination that the applicant does not possess a background which calls into question public trust, as set forth below in subsection (2), and verification that the prospective



licensee is not guilty of or in violation of any statutory ground for denial of licensure as set forth in Section 73-60-31.

(b) To assist the commission in conducting its licensure investigation, on or after July 1, 2021, all applicants for a Mississippi home inspector license, and all applicants for renewal of any home inspector license shall undergo a fingerprint-based criminal history records check of the Mississippi central criminal database and the Federal Bureau of Investigation criminal history database. Each applicant shall submit a full set of the applicant's fingerprints in a form and manner prescribed by the * * * Appraisal Board, which shall be forwarded to the Mississippi Department of Public Safety (department) and the Federal Bureau of Investigation Identification Division for this purpose.

(c) Any and all state or national criminal history records information obtained by the * * * Appraisal Board that is not already a matter of public record shall be deemed nonpublic and confidential information restricted to the exclusive use of the * * * Appraisal Board, its members, officers, investigators, agents and attorneys in evaluating the applicant's eligibility or disqualification for licensure, and shall be exempt from the Mississippi Public Records Act of 1983. Except when introduced into evidence in a hearing before the * * * Appraisal Board to determine licensure, no such information or records related thereto shall, except with the written consent of the applicant or



by order of a court of competent jurisdiction, be released or otherwise disclosed by the commission to any other person or agency.

(d) The * * * Appraisal Board shall provide to the department the fingerprints of the applicant, any additional information that may be required by the department, and a form signed by the applicant consenting to the check of the criminal records and to the use of the fingerprints and other identifying information required by the state or national repositories.

(e) The * * * Appraisal Board shall charge and collect from the applicant, in addition to all other applicable fees and costs, such amount as may be incurred by the * * * Appraisal Board in requesting and obtaining state and national criminal history records information on the applicant.

(2) (a) The * * * Appraisal Board must ensure that applicants for home inspector licenses do not possess a background that could call into question public trust. An applicant found by the * * * Appraisal Board to possess a background which calls into question the applicant's ability to maintain public trust shall not be issued a home inspector license.

(b) The * * * Appraisal Board shall not issue a home inspector license if:

(i) The applicant has had a home inspector license revoked in any governmental jurisdiction within the five-year period immediately preceding the date of the application;



(ii) The applicant has been convicted of, or pled guilty or nolo contendere to, a felony in a domestic or foreign court involving an act of fraud, dishonesty or a breach of trust, or money laundering at any time preceding the date of the application if, in the discretion of the * * * Appraisal Board following notice to the applicant and a hearing, good cause exists to deny or not renew licensure.

(c) Applicants for a home inspector license or renewal of a home inspector license who hold any other license falling under the jurisdiction of the * * * Appraisal Board requiring a background check shall not be required to pay for more than one (1) background check during a calendar year.

(d) The * * * Appraisal Board shall adopt rules and regulations necessary to implement, administer and enforce the provisions of this section.

SECTION 21. Section 73-34-9, Mississippi Code of 1972, is amended as follows:

73-34-9. (1) The board shall have the following powers and duties:

(a) To receive applications for licensure as a real estate appraiser and applications for registration as an appraisal management company under this chapter; to establish appropriate administrative procedures for the processing of those applications; to approve or disapprove applications for licensing or registration under this chapter; to issue licenses to qualified



492 applicants under the provisions of this chapter; and to maintain a
493 registry of the names and addresses of individuals who are
494 currently licensed under this chapter.

495 (b) To administer licensing examinations in the places
496 and at the times as may be required to carry out its
497 responsibilities under this chapter.

498 (c) To collect all licensing fees required or permitted
499 by this chapter.

500 (d) To take appropriate action upon a decision and the
501 related findings of fact made by the board if, after an
502 administrative hearing, the board (i) determines that a licensed
503 appraiser or a licensed state certified real estate appraiser
504 under this chapter has violated the standards of appraisal
505 practice or ethical rules established under Section 73-34-37, or
506 has committed one or more of the acts that are prohibited by
507 Section 73-34-35, and (ii) recommends that the license of the
508 appraiser be suspended or revoked, that renewal be denied, or that
509 some other disciplinary action be taken.

510 (e) To solicit bids and enter into contracts.

511 (f) To promote research and conduct studies relating to
512 the profession of real estate appraising and sponsor real estate
513 appraisal educational activities.

514 (g) To adopt rules and regulations for the
515 administration of this chapter that are not inconsistent with the



provisions of this chapter or the Constitution and laws of
Mississippi or of the United States.

(h) To employ an administrator or director who shall
keep a record of all proceedings, transactions, communications and
official acts of the board and perform any other duties as the
board may require.

(i) To employ an appropriate staff to investigate
allegations that licensed appraisers or licensed state certified
real estate appraisers under this chapter failed to comply with
the terms or provisions of this chapter.

(j) To employ any other professional, clerical and
technical assistance as may be necessary to properly administer
the work of this chapter.

(k) To be responsible for matters relating to real
estate appraisal standards, real estate appraiser qualifications,
testing standards and appraisal management companies and enforce
the same through its disciplinary functions.

(l) To hold meetings; to hold public hearings and
administrative hearings; and to prepare examination specifications
for licensed appraisers and licensed state certified appraisers.

(m) To enable the board to carry out its
responsibilities under this chapter with respect to licensing and
registering, the board shall have:

(i) The power to compel the attendance of
witnesses;



(ii) The power to require a licensed appraiser or an applicant for licensure to produce books, appraisal documents, records and other papers;

(iii) The power to administer oaths; and

(iv) The power to take testimony and receive evidence concerning all matters within its jurisdiction.

These powers may be exercised directly by the board in such manner as the board shall determine.

(n) To establish appropriate administrative procedures for disciplinary proceedings conducted under the provisions of this chapter.

(o) To keep a record of its proceedings and issue an annual report of its activities.

(p) To further define by rule or regulation, and with respect to each of the categories of licensed appraiser, the type of educational experience, appraisal experience and equivalent experience that will meet the statutory requirements of this chapter and of the Appraiser Qualifications Board.

(q) To approve or disapprove applications for licensing or registration under this chapter.

(r) To suspend or revoke licenses or registrations under the disciplinary proceedings provided for in this chapter.

(s) To present an annual budget to the Mississippi Legislature for approval.



565 (t) To implement all requirements directed by the
566 Appraiser Qualifications Board, Appraisal Subcommittee of the
567 Federal Financial Institutions Examination Council or their
568 designated agent.

569 (u) To make rules and regulations providing for an
570 inactive license or registration status and for the reactivation
571 thereof.

572 (v) To make rules and regulations necessary to
573 implement its powers and duties under this chapter.

574 (w) To do all other things necessary to carry out the
575 provisions of this chapter.

576 (x) To adopt rules consistent with the provisions of
577 this chapter which may be reasonably necessary to implement,
578 administer * * * and enforce the provisions of this chapter.

579 (y) To provide for at least one (1) member of the board
580 to represent the appraisal management company industry.

581 (z) To establish the standard for measuring residential
582 properties up to four (4) family buildings as promulgated by the
583 American National Standards Institute or as provided in the
584 American Measurement Standard Manual. The board shall require
585 appraisals required to use those standards to indicate on the
586 appraisal or separately appended document which standard was used.

587 (aa) To conduct surveys as necessary.

588 (bb) To administer and enforce the provisions of
589 Sections 73-60-1 through 73-60-47 regarding home inspectors.



590 (2) The members of the board shall be immune from any civil
591 action or criminal prosecution for initiating or assisting in any
592 lawful investigation of the actions of * * * or participating in
593 any disciplinary proceeding concerning * * * an appraiser licensed
594 under this chapter, provided that the action is taken without
595 malicious intent and in the reasonable belief that the action was
596 taken in accordance with the powers and duties vested in the
597 members of the board under this chapter.

598 **SECTION 22.** This act shall take effect and be in force from
599 and after July 1, 2024.

