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# A BILL FOR AN ACT

RELATING TO REAL ESTATE APPRAISERS.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1           SECTION 1. Section 466K-1, Hawaii Revised Statutes, is  
2 amended to read as follows:

3           "§466K-1 Findings and purpose. The legislature finds that  
4 the regulation of real estate appraisers is reasonably necessary  
5 to protect consumers. The legislature further finds that 12  
6 United States Code §3301 et seq. [~~requires~~] and §3331 et seq.  
7 require that real estate appraisals utilized in connection with  
8 federally related transactions be performed by individuals who  
9 are certified appraisers. The purposes of this chapter are to  
10 implement the requirements of 12 United States Code §3301 et  
11 seq. and §3331 et seq. and to require that all real estate  
12 appraisals be performed by licensed or certified appraisers.  
13 The requirements of this chapter do not apply to any real estate  
14 appraiser employed by any county for purposes of valuing real  
15 property for ad valorem taxation."

16           SECTION 2. Section 466K-3, Hawaii Revised Statutes, is  
17 amended to read as follows:



1           "§466K-3 Powers and duties of the director. In addition  
2 to any other powers and duties authorized by law, the director  
3 shall have the following powers and duties:

4           (1) To grant permission to practice as a certified real  
5 estate appraiser in this State pursuant to this  
6 chapter and 12 United States Code §3301 et seq. and  
7 §3331 et seq. and the rules and regulations adopted  
8 pursuant thereto;

9           (2) To adopt, amend, or repeal rules as the director finds  
10 necessary to effectuate fully this chapter and 12  
11 United States Code §3301 et seq. [~~7~~] and §3331 et seq.;

12           (3) To enforce this chapter and 12 United States Code  
13 §3301 et seq. and §3331 et seq. and rules and  
14 regulations adopted pursuant thereto;

15           (4) To discipline a certified real estate appraiser for  
16 any cause prescribed by this chapter or 12 United  
17 States Code §3301 et seq. and §3331 et seq. or for any  
18 violation of the rules and regulations and refuse to  
19 grant a person permission to practice as a certified  
20 real estate appraiser for any cause that would be  
21 grounds for disciplining a certified real estate  
22 appraiser;



1           (5) To act as the designated representative of this State  
2           to implement 12 United States Code §3301 et seq. [7]  
3           and §3331 et seq.; and

4           (6) To appoint an advisory committee to assist with the  
5           implementation of this chapter and 12 United States  
6           Code §3301 et seq. and §3331 et seq. and the rules and  
7           regulations adopted pursuant thereto."

8           SECTION 3. The department of commerce and consumer affairs  
9           shall analyze the impact of expanding the current scope of  
10          chapter 466K, Hawaii Revised Statutes to include the regulation  
11          of real estate appraisal management companies, in order to  
12          accommodate the applicable provisions of the Financial  
13          Institutions Reform, Recovery, and Enforcement Act of 1989  
14          ("FIRREA"), 12 U.S.C. section 3331 et seq., and the federal  
15          rules adopted thereunder. The analysis shall also include the  
16          cost of the implementation and the means of financing. The  
17          department of commerce and consumer affairs shall submit a  
18          report of its findings and recommendations, including any  
19          proposed legislation, to the legislature not later than twenty  
20          days prior to the convening of the regular session of 2012.

21          SECTION 4. Statutory material to be repealed is bracketed  
22          and stricken. New statutory material is underscored.

1 SECTION 5. This Act shall take effect upon its approval.

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INTRODUCED BY: 

JAN 20 2011



**Report Title:**

Real Estate Appraisers

**Description:**

Expands the scope of the current law to include the regulation of real estate appraisal management companies in order to comply with the federal Financial Institutions Reform, Recovery, and Enforcement Act of 1989 ("FIRREA") and the federal rules adopted thereunder.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

