House Engrossed

FILED

JANICE K. BREWER
SECRETARY OF STATE

State of Arizona
House of Representatives
Forty-sixth Legislature
Second Regular Session
2004

CHAPTER 48

HOUSE BILL 2044

AN ACT

AMENDING SECTIONS 32-3604 AND 32-3652, ARIZONA REVISED STATUTES; RELATING TO THE STATE BOARD OF APPRAISAL.

(TEXT OF BILL BEGINS ON NEXT PAGE)

Be it enacted by the Legislature of the State of Arizona:

Section 1. Section 32-3604, Arizona Revised Statutes, is amended to read:

32-3604. State board of appraisal

A. A state board of appraisal is established and is composed of nine members who are appointed by the governor pursuant to section 38-211.

B. The membership of the board consists of:

1. Four members who are state certified or state licensed appraisers under ~~the provisions of~~ this chapter, one of whom is a state certified general appraiser, one of whom is a state certified residential appraiser, one of whom is a state licensed appraiser and one of whom is any state certified or state licensed appraiser. Membership in a professional appraisal organization or association is not a prerequisite to service on the board.

2. Three public members who are not related within the third degree of consanguinity or affinity to any real estate appraiser.

3. A registered property tax agent.

4. One member, who is not a certified or licensed appraiser, who is employed by a lending institution that purchases or makes use of either commercial or residential appraisals and whose position of employment relates to the use of appraisals by that institution.

C. Members shall serve for staggered terms of three years.

D. No person may serve as a member of the board for more than two consecutive terms. Not more than two persons from the same professional appraisal organization or association may serve on the board concurrently. The governor may remove a member for cause.

E. The public members of the board shall not be engaged in the practice of appraising or be the owner or employee of any proprietary business involving appraisal education or testing of appraisers.

F. The board shall meet at least once each calendar quarter to conduct business. Places of future meetings shall be decided by the vote of members at meetings. By order of the chairman and if necessary to meet the requirements of this chapter, the board may hold special meetings or emergency meetings including meetings using conference telephone or other similar communications equipment in such a manner that the voices of all members participating in the meeting are simultaneously audible to all other members participating in the meeting.

G. The board shall meet to elect a chairman annually from among its members.

H. A majority of the members constitutes a quorum.

I. Each member of the board is eligible to receive compensation ~~pursuant to section 38-611, subsection D for each meeting of the board at which the member is present and for each day or substantial part of the day~~ NOT TO EXCEED ONE HUNDRED FIFTY DOLLARS FOR EACH DAY OR SEVENTY-FIVE DOLLARS FOR EACH PART OF A DAY CONSISTING OF LESS THAN FOUR HOURS actually spent in the conduct of the business of the board, plus reimbursement for all expenses~~,~~ pursuant to title 38, chapter 4, article 2. ~~Members are not eligible to receive compensation pursuant to section 38-611, subsection D for meetings of the board in which the members use conference telephones or other similar communications equipment.~~

J. The auditor general shall conduct a performance audit or a special audit of the board pursuant to section 41-1279.03 on or before December 31, 2004 and at least once every ten years thereafter. The auditor general shall also conduct performance audits or special audits of the board when directed to do so by the joint legislative audit committee.

Sec. 2. Section 32-3652, Arizona Revised Statutes, is amended to read:

32-3652. Registration; renewal; fees

A. An individual who wishes to act as a property tax agent shall apply for registration by submitting to the board a completed application form prescribed by the board with the initial registration fee. The applicant shall also file with the board an affidavit stating whether the applicant has been convicted of a felony or any misdemeanor involving dishonesty or moral turpitude in this or any other state within the last ten years. The board may review the affidavit and issue or deny the registration based on its findings.

B. Registration is valid for ~~one year~~ TWO YEARS. An individual may renew a registration by submitting to the board a renewal form prescribed by the board with the renewal fee on or before the date the registration expires.

C. An appraiser licensed or certified pursuant to this chapter may register and renew registration as a property tax agent without paying the fee prescribed by this section.

D. The board shall issue a certificate of registration to an individual, if the individual complies with this section and the individual is not prohibited from registering pursuant to section 32-3654.

E. A person shall not act as a property tax agent if the person is not registered pursuant to this section.

F. The board shall collect from each individual a fee of:

1. ~~Fifty dollars~~ TWO HUNDRED DOLLARS for an initial registration.

2. ~~Twenty-five dollars~~ ONE HUNDRED DOLLARS for a renewal.

3. Five dollars for a duplicate registration certificate.

G. The board shall deposit, pursuant to sections 35-146 and 35-147, monies collected pursuant to subsection F of this section in the board of appraisal fund.

Sec. 3. Requirements for enactment; two-thirds vote

Pursuant to article IX, section 22, Constitution of Arizona, this act is effective only on the affirmative vote of at least two-thirds of the members of each house of the legislature and is effective immediately on the signature of the governor or, if the governor vetoes this act, on the subsequent affirmative vote of at least three-fourths of the members of each house of the legislature.

APPROVED BY THE GOVERNOR APRIL 7, 2004.

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 7, 2004.