

## CHAPTER 232

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**PROFESSIONS AND OCCUPATIONS**

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HOUSE BILL 96-1080

BY REPRESENTATIVES Piffner and Prinzler;  
also SENATOR Mutzebaugh.**AN ACT**

CONCERNING THE REGULATION OF REAL ESTATE APPRAISERS BY THE BOARD OF REAL ESTATE APPRAISERS, AND, IN CONNECTION THEREWITH, CONTINUING THE AUTHORITY OF THE BOARD OF REAL ESTATE APPRAISERS TO REGULATE LICENSED, CERTIFIED, OR REGISTERED APPRAISERS, DELETING REFERENCES TO THE MANDATORY REGULATION OF COUNTY ASSESSORS HELD UNCONSTITUTIONAL BY THE COLORADO SUPREME COURT, CHANGING THE MEMBERSHIP OF THE BOARD OF REAL ESTATE APPRAISERS TO DECREASE THE NUMBER OF LICENSED OR CERTIFIED APPRAISERS AND INCREASE BY ONE THE NUMBER OF PUBLIC MEMBERS ON THE BOARD, AND PROHIBITING CONTINGENCY FEES.

*Be it enacted by the General Assembly of the State of Colorado:*

**SECTION 1.** 12-61-701, Colorado Revised Statutes, 1991 Repl. Vol., is amended to read:

**12-61-701. Legislative declaration.** The general assembly finds, determines, and declares that this part 7 is enacted pursuant to the requirements of the federal "Real Estate Appraisal Reform Amendments", Title XI of the federal "Financial Institutions Reform, Recovery, and Enforcement Act of 1989". The general assembly further finds, determines, and declares that this part 7 is intended to implement the minimum requirements of federal law in the least burdensome manner to real estate appraisers. ~~while providing the protection to the public and users of appraisals mandated by federal law.~~

**SECTION 2.** 12-61-702 (1) and (5), Colorado Revised Statutes, 1991 Repl. Vol., as amended, are amended to read:

**12-61-702. Definitions.** As used in this part 7, unless the context otherwise requires:

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*Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.*

(1) "Appraisal", "appraisal report", or "real estate appraisal" means a written analysis, opinion, or conclusion relating to the nature, quality, value, or utility of specified interests in, or aspects of, identified real estate. Such terms include a valuation, which is an ~~estimate~~ OPINION of the value of real estate, and an analysis, which is a general study of real estate not specifically performed only to determine value; except that such terms include any valuation completed by ANY APPRAISER EMPLOYEE OF a county assessor as defined in section 39-1-102 (2), C.R.S. ~~or any appraiser employee of any such assessor.~~ Such terms do not include an analysis, valuation, opinion, conclusion, notation, or compilation of data by an officer, director, or regular salaried employee of a financial institution or its affiliate, made for internal use only by the said financial institution or affiliate, concerning an interest in real estate that is owned or held as collateral by the said financial institution or affiliate which is not represented or deemed to be an appraisal except to the said financial institution, the agencies regulating the said financial institution, and any secondary markets that purchase real estate secured loans. Any such appraisal prepared by an officer, director, or regular salaried employee of said financial institution who is not registered, licensed, or certified under this part 7 shall contain a written notice that the preparer is not registered, licensed, or certified as an appraiser under this part 7.

(5) (a) "Real estate appraiser" or "appraiser" means any person who provides for a fee or a salary an ~~estimate~~ OPINION of the nature, quality, value, or utility of an interest in, or aspect of, identified real estate and includes one who estimates value and who possesses the necessary qualifications, ability, and experience to execute or direct the appraisal of real property.

(b) "Real estate appraiser" does not include:

(I) Any person who conducts appraisals strictly of personal property; ~~Such term also does not include~~

(II) Any person licensed as a broker or ~~salesman~~ SALESPERSON pursuant to part 1 of this article who provides an ~~estimate~~ OPINION of value ~~which~~ THAT is not represented as an appraisal and is not used for purposes of obtaining financing; ~~Such term also does not include~~

(III) Any person licensed as a certified public accountant pursuant to article 2 of this title, and otherwise regulated, provided such ~~estimates~~ OPINION of value for real estate are not represented as an appraisal; ~~"Real estate appraiser" does not include~~

(IV) Any corporation, which is acting through its officers or regular salaried employees, when conducting a valuation of real estate property rights owned, to be purchased, or sold by the corporation; ~~"Real estate appraiser" also does not include~~

(V) Any person who conducts appraisals strictly of water rights or of mineral rights; ~~Such term also does not include~~

(VI) Any right-of-way acquisition agent employed by a public entity who provides an ~~estimate~~ OPINION of value ~~which~~ THAT is not represented as an appraisal when the property being valued is five thousand dollars or less; ~~and the term does not include~~

(VII) Any officer, director, or regular salaried employee of a financial institution

or its affiliate who makes, for internal use only by the said financial institution or affiliate, an analysis, evaluation, opinion, conclusion, notation, or compilation of data with respect to an appraisal so long as such person does not make a written adjustment of the appraisal's conclusion as to the value of the subject real property; ~~Such term also does not include~~

(VIII) Any officer, director, or regular salaried employee of a financial institution or its affiliate who makes such an internal analysis, valuation, opinion, conclusion, notation, or compilation of data concerning an interest in real estate that is owned or held as collateral by the financial institution or its affiliate.

**SECTION 3.** 12-61-703 (1), (2.5) (b), (2.5) (c), and (6), Colorado Revised Statutes, 1991 Repl. Vol., are amended to read:

**12-61-703. Board of real estate appraisers - creation - compensation - immunity - repeal of part.** (1) There is hereby created in the division a board of real estate appraisers consisting of seven members appointed by the governor with the consent of the senate. Of such members, ~~four~~ THREE shall be licensed or certified appraisers, one of whom shall have expertise in eminent domain matters, one shall be a county assessor in office, one shall be an officer or employee of a commercial bank experienced in real estate lending, and ~~one~~ TWO shall be ~~a member~~ MEMBERS of the public at large not engaged in any of the businesses represented by the other members of the board. Of the members of the board appointed for terms beginning July 1, 1990, the commercial bank member, the county assessor member, and two of the appraiser members shall be appointed for terms of three years, and the public member and the remaining appraiser members shall be appointed for terms of one year. ~~Of such members appointed for terms beginning July 1, 1990, the appraiser members and the assessor member need not be licensed appraisers, but, unless a federal extension is granted pursuant to section 12-61-704 (1) (j), shall be licensed by July 1, 1991, or shall be ineligible to remain as members of the board and shall be removed by the governor.~~ Members of the board appointed after July 1, 1990, shall hold office for a term of three years. THE ADDITIONAL PUBLIC MEMBER OF THE BOARD OF REAL ESTATE APPRAISERS AUTHORIZED BY THIS SUBSECTION (1) SHALL NOT BE APPOINTED BEFORE THE EARLIEST DATE ON WHICH ONE OF THE FOUR APPRAISER MEMBERS' TERMS EXPIRES AFTER JULY 1, 1996. In the event of a vacancy by death, resignation, removal, or otherwise, the governor shall appoint a member to fill the unexpired term. The governor shall have the authority to remove any member for misconduct, neglect of duty, or incompetence.

(2.5) (b) ~~(f) In the event that this organizational structure is disapproved by the appraisal subcommittee established pursuant to Title XI of the federal "Financial Institutions Reform, Recovery, and Enforcement Act of 1989", the governor is directed, notwithstanding any other provision of this article or the "Administrative Organization Act of 1968", article 1 of title 24, C.R.S., to the contrary, to transfer the board by executive order to an agency which meets the approval of the appraisal subcommittee.~~

~~(H) The governor shall notify in writing the joint sunrise and sunset review committee of the general assembly of any action taken pursuant to this subsection (2.5) and shall provide such committee with a copy of the disapproval action issued by the appraisal subcommittee.~~

~~(III) The responsibility and authority of the governor is limited to the sole issue of the transfer of the board, and nothing in this subsection (2.5) shall be construed to authorize the governor to modify any other statutory provisions that govern the board and its activities.~~

~~(c) The governor's authority under this subsection (2.5) shall terminate on the date the appraisal subcommittee grants approval of the organizational structure of the board.~~

(6) This part 7 is repealed, effective July 1, 1996 2002. Prior to such repeal, the board of real estate appraisers shall be reviewed as provided for in section 24-34-104, C.R.S.

**SECTION 4.** 12-61-704 (1) (a), (1) (b), (1) (e), and (1) (h) (I), Colorado Revised Statutes, 1991 Repl. Vol., as amended, are amended to read:

**12-61-704. Powers and duties of the board.** (1) In addition to all other powers and duties imposed upon it by law, the board has the following powers and duties:

(a) To promulgate and amend, as necessary, rules and regulations pursuant to article 4 of title 24, C.R.S., for the implementation and administration of this part 7 and as required to comply with THE FEDERAL "REAL ESTATE APPRAISAL REFORM AMENDMENTS", Title XI of the federal "Financial Institutions Reform, Recovery, and Enforcement Act of 1989", AND WITH ANY REQUIREMENTS IMPOSED BY AMENDMENTS TO SUCH FEDERAL LAW. THE BOARD SHALL NOT ESTABLISH ANY REQUIREMENTS THAT ARE MORE STRINGENT THAN THE REQUIREMENTS OF ANY APPLICABLE FEDERAL LAW.

(b) To charge application, examination, and REGISTRATION, license, and certificate renewal fees established pursuant to section 12-61-111.5 to FROM all applicants for REGISTRATION, licensure, certification, examination, and renewal under this part 7. No fees received from applicants seeking REGISTRATION, licensure, certification, examination, or renewal shall be refunded.

(e) To issue, deny, or refuse to renew a REGISTRATION, license, or certificate pursuant to this part 7;

(h) (I) ~~Except as provided in section 12-61-706 (6);~~ To develop or purchase any examination required for the administration of this part 7, to offer each such examination at least twice a year or, if demand warrants, at more frequent intervals, and to establish a passing score for each examination which reflects a minimum level of competency;

**SECTION 5.** 12-61-706, Colorado Revised Statutes, 1991 Repl. Vol., as amended, is amended to read:

**12-61-706. Qualifications for registration, licensing, and certification of appraisers - continuing education.** (1) ~~A person applying for registration as an appraiser shall apply in such form and manner as prescribed by the board. Applicants shall have had at least fifty-five classroom hours of appraisal education and training or the substantial equivalent thereof as approved by the board, and shall pass an examination developed or purchased by the board, except as otherwise provided in~~

~~subsection (6) of this section for the initial examination pursuant to this section. Such person shall be known as a Colorado registered appraiser.~~ THE BOARD SHALL, BY RULE, PRESCRIBE REQUIREMENTS FOR THE INITIAL REGISTRATION, LICENSING, OR CERTIFICATION OF PERSONS UNDER THIS PART 7 TO MEET THE REQUIREMENTS OF THE FEDERAL "REAL ESTATE APPRAISAL REFORM AMENDMENTS", TITLE XI OF THE FEDERAL "FINANCIAL INSTITUTIONS REFORM, RECOVERY, AND ENFORCEMENT ACT OF 1989" AND SHALL DEVELOP OR PURCHASE EXAMINATIONS TO BE PASSED BY APPLICANTS. THE BOARD SHALL NOT ESTABLISH ANY REQUIREMENTS FOR INITIAL REGISTRATION, LICENSING, OR CERTIFICATION THAT ARE MORE STRINGENT THAN THE REQUIREMENTS OF ANY APPLICABLE FEDERAL LAW; EXCEPT THAT ALL APPLICANTS SHALL PASS AN EXAMINATION DEVELOPED OR PURCHASED BY THE BOARD. IF THERE IS NO APPLICABLE FEDERAL LAW, THE BOARD SHALL CONSIDER AND MAY USE AS GUIDELINES THE MOST RECENT AVAILABLE CRITERIA PUBLISHED BY THE APPRAISER QUALIFICATIONS BOARD OF THE APPRAISAL FOUNDATION OR ITS SUCCESSOR ORGANIZATION.

(2) ~~A person applying for a residential appraiser's license shall apply in such form and manner as prescribed by the board. Applicants shall have had at least ninety-five classroom hours of appraisal education and training, or the substantial equivalent thereof as approved by the board. Additionally, an applicant shall have had at least two years of appraisal experience as approved by the board, and shall pass an examination developed or purchased by the board, except as otherwise provided in subsection (6) of this section for the initial examination pursuant to this section. Such person shall be known as a Colorado licensed appraiser.~~ THE BOARD SHALL, BY RULE, PRESCRIBE CONTINUING EDUCATION REQUIREMENTS FOR PERSONS REGISTERED, LICENSED, OR CERTIFIED UNDER THIS PART 7 AS NEEDED TO MEET THE REQUIREMENTS OF THE FEDERAL "REAL ESTATE APPRAISAL REFORM AMENDMENTS", TITLE XI OF THE FEDERAL "FINANCIAL INSTITUTIONS REFORM, RECOVERY, AND ENFORCEMENT ACT OF 1989". THE BOARD SHALL NOT ESTABLISH ANY CONTINUING EDUCATION REQUIREMENTS THAT ARE MORE STRINGENT THAN THE REQUIREMENTS OF ANY APPLICABLE LAW; EXCEPT THAT ALL PERSONS REGISTERED, LICENSED, OR CERTIFIED UNDER THIS PART 7 SHALL BE SUBJECT TO CONTINUING EDUCATION REQUIREMENTS. IF THERE IS NO APPLICABLE FEDERAL LAW, THE BOARD SHALL CONSIDER AND MAY USE AS GUIDELINES THE MOST RECENT AVAILABLE CRITERIA PUBLISHED BY THE APPRAISER QUALIFICATIONS BOARD OF THE APPRAISAL FOUNDATION OR ITS SUCCESSOR ORGANIZATION.

(3) ~~A person applying for a residential appraiser's certification shall apply in such form and manner as prescribed by the board. On and before December 31, 1993, applicants shall have had at least one hundred five classroom hours of appraisal education and training or the substantial equivalent thereof as approved by the board. On and after January 1, 1994, applicants shall have had at least one hundred sixty-five classroom hours of appraisal education and training or the substantial equivalent thereof as approved by the board. In addition to the appraisal education and training set forth in this subsection (3), an applicant shall have had at least two years of appraisal experience as approved by the board, and shall pass an examination developed or purchased by the board, except as otherwise provided in subsection (6) of this section for the initial examination pursuant to this section. Such person shall be known as a Colorado certified residential appraiser.~~ ANY PROVISION OF THIS SECTION TO THE CONTRARY NOTWITHSTANDING, THE CRITERIA ESTABLISHED BY THE BOARD FOR THE REGISTRATION, LICENSING, OR CERTIFICATION OF APPRAISERS

PURSUANT TO THIS PART 7 SHALL NOT INCLUDE MEMBERSHIP OR LACK OF MEMBERSHIP IN ANY APPRAISAL ORGANIZATION.

~~(4) A person applying for a general appraiser's certification shall apply in such form and manner as prescribed by the board. Applicants shall have had at least one hundred sixty-five classroom hours of appraisal education and training, or the substantial equivalent thereof, as approved by the board. Additionally, an applicant shall have had at least three years of appraisal experience as approved by the board, and shall pass an examination developed or purchased by the board, except as otherwise provided in subsection (6) of this section for the initial examination pursuant to this section. Such person shall be known as a Colorado certified general appraiser.~~

(5) (a) ~~Subject to the provisions of section 12-61-714 (2), all county assessors and appraiser employees of county assessors shall be registered, licensed, or certified as provided in subsection (1), (2), (3), or (4) SUBSECTIONS (1) AND (2) of this section. Obtaining and maintaining a REGISTRATION, license, or certificate under any one of said subsection (1), (2), (3), or (4) SUBSECTIONS (1) AND (2) shall entitle a county assessor or AN appraiser employee of a county assessor to perform all real estate appraisals required to fulfill such person's official duties.~~

(b) ~~County assessors and Appraiser employees of county assessors shall be subject to all provisions of this part 7; except that county assessors and appraiser employees of county assessors shall not be subject to disciplinary actions by the board on the ground that they have performed appraisals beyond their level of competency when appraising real estate in fulfillment of their official duties.~~

(c) ~~All reasonable costs incurred by a county assessor or AN appraiser employee of a county assessor to obtain and maintain a registration, license, or certificate pursuant to this section shall be paid by the county.~~

(6) (a) ~~For purposes of the initial examination pursuant to this part 7 only, the director shall have the following powers and duties:~~

~~(I) To follow the requirements for application for registration, licensure, or certification pursuant to this subsection (6) and subsections (1) to (5) of this section;~~

~~(II) To designate in advance a place of examination;~~

~~(III) To follow the requirements of the board for determining a passing score.~~

~~(b) Initial appointees to the board are prohibited from participation in the development of the initial examinations given under this section. Any other person who participates in the development of an examination pursuant to this subsection (6) shall be prohibited from taking such examination for a period of two years from the date the examination is first given.~~

(7) ~~The board shall prescribe continuing education requirements for persons registered, licensed, or certified under this part 7 as needed to meet the requirements of the federal "Real Estate Appraisal Reform Amendments", Title XI of the federal "Financial Institutions Reform, Recovery, and Enforcement Act of 1989" and shall~~

~~require tests to measure the information obtained by persons attending such continuing education courses. The board shall not establish any continuing education requirements which are more stringent than the requirements of federal law.~~

~~(8) Any provision of this section to the contrary notwithstanding, the criteria established by the board for the registration, licensing, or certification of appraisers pursuant to this part 7 shall not include membership or lack of membership in any appraisal organization.~~

**SECTION 6.** 12-61-708, Colorado Revised Statutes, 1991 Repl. Vol., as amended, is amended to read:

**12-61-708. Licensure or certification by endorsement - temporary practice.**

(1) The board may issue a license or certification to an appraiser by endorsement to engage in the occupation of real estate appraisal to any applicant who has a license, registration, or certification in good standing as a real estate appraiser under the laws of another jurisdiction if:

(a) The applicant presents proof satisfactory to the board that, at the time of application for a Colorado registration, license, or certificate by endorsement, the applicant possesses credentials and qualifications which are substantially equivalent to the requirements of this part 7; OR

(b) THE JURISDICTION THAT ISSUED THE APPLICANT A LICENSE OR CERTIFICATE TO ENGAGE IN THE OCCUPATION OF REAL ESTATE APPRAISAL HAS A LAW SIMILAR TO THIS SUBSECTION (1) PURSUANT TO WHICH IT LICENSES OR CERTIFIES PERSONS WHO ARE LICENSED REAL ESTATE APPRAISERS IN THIS STATE.

(1.2) The board may specify by rules and regulations what shall constitute substantially equivalent credentials and qualifications and the manner in which credentials and qualifications of an applicant will be reviewed by the board.

(2) Pursuant to section 1122 (a) of Title XI of the federal "Financial Institutions Reform, Recovery, and Enforcement Act of 1989", the board shall recognize, on a temporary basis, the license or certification of an appraiser issued by another state if:

~~(a) The property to be appraised is part of a federally related transaction as defined in section 1121 (4) of Title XI of the federal "Financial Institutions Reform, Recovery, and Enforcement Act of 1989"; and~~

(b) The appraiser's business is of a temporary nature; and

(c) The appraiser applies for and is granted a temporary practice permit by the board.

**SECTION 7.** 12-61-709 (1), Colorado Revised Statutes, 1991 Repl. Vol., as amended, is amended to read:

**12-61-709. Denial of registration, license, or certificate - renewal.** (1) The board is empowered to determine whether an applicant for registration, licensure, or certification possesses the NECESSARY qualifications for registration, licensure, or

certification required by this part 7. ~~including~~ THE BOARD MAY CONSIDER SUCH QUALITIES AS the applicant's truthfulness AND honesty and ~~good moral character~~ WHETHER THE APPLICANT HAS BEEN CONVICTED OF A CRIME INVOLVING MORAL TURPITUDE.

**SECTION 8.** 12-61-710 (2), (3), and (5) (d), Colorado Revised Statutes, 1991 Repl. Vol., as amended, are amended, and the said 12-61-710 is further amended BY THE ADDITION OF A NEW SUBSECTION, to read:

**12-61-710. Prohibited activities - grounds for disciplinary actions - procedures.** (2) If an applicant, a registrant, a licensee, or a certified person has violated any of the provisions of this section, the board may deny or refuse to renew any REGISTRATION, license, or certificate, or, as specified in ~~subsection~~ SUBSECTIONS (2.5) AND (5) of this section, revoke or suspend any REGISTRATION, license, or certificate, issue a letter of admonition to a licensee or certified person, or place a REGISTRANT, licensee, or certified person on probation.

(2.5) WHEN A COMPLAINT OR AN INVESTIGATION DISCLOSES AN INSTANCE OF MISCONDUCT BY A REGISTERED, LICENSED, OR CERTIFIED APPRAISER THAT IN THE OPINION OF THE BOARD DOES NOT WARRANT FORMAL ACTION BY THE BOARD BUT SHOULD NOT BE DISMISSED AS BEING WITHOUT MERIT, THE BOARD MAY SEND A LETTER OF ADMONITION BY CERTIFIED MAIL TO THE APPRAISER AGAINST WHOM A COMPLAINT WAS MADE. THE LETTER SHALL ADVISE THE APPRAISER OF THE RIGHT TO MAKE A WRITTEN REQUEST, WITHIN TWENTY DAYS AFTER RECEIPT OF THE LETTER OF ADMONITION, TO THE BOARD TO BEGIN FORMAL DISCIPLINARY PROCEEDINGS AS PROVIDED IN THIS SECTION TO ADJUDICATE THE CONDUCT OR ACTS ON WHICH THE LETTER WAS BASED.

(3) A proceeding for discipline of a registrant, licensee, or certified person may be commenced when the board has reasonable grounds to believe that a REGISTRANT, licensee, or certified person has committed any act or failed to act pursuant to the grounds established in subsection (1) of this section OR WHEN A REQUEST FOR A HEARING IS TIMELY MADE UNDER SUBSECTION (2.5) OF THIS SECTION.

(5) As authorized in subsection (2) of this section, disciplinary actions by the board may consist of the following:

(d) ~~**Issuance of letters of admonition.** Letters of admonition shall be sent by certified mail to the registrant, licensee, or certified person against whom a complaint was made. The letter shall advise the person that he or she may, within twenty days after receipt of the letter, make a written request to the board to institute formal disciplinary proceedings in order to formally adjudicate the conduct or acts on which the letter was based.~~

**SECTION 9.** 12-61-712, Colorado Revised Statutes, 1991 Repl. Vol., as amended, is amended to read:

**12-61-712. Unlawful acts.** (1) It is unlawful for any person to:

(a) Violate any provision of this part 7, or on and after ~~July 1, 1991, to act as a real estate appraiser in this state~~ JULY 1, 1996, TO PERFORM A REAL ESTATE



APPRAISAL IN CONJUNCTION WITH A DEBT INSTRUMENT THAT IS FEDERALLY GUARANTEED OR IN THE FEDERAL SECONDARY MARKET AND REGULATED PURSUANT TO TITLE 12, U.S.C., without first having obtained a registration, license, or certificate from the board pursuant to this part 7.

(b) ACT AS AN APPRAISER OR EXPERT WITNESS AND RECEIVE A CONTINGENCY FEE; EXCEPT THAT A PERSON MAY ACT AS AN AGENT AND RECEIVE A CONTINGENCY FEE IF SUCH PERSON IS NOT INVOLVED AS AN APPRAISER OR EXPERT WITNESS IN THE SAME CASE.

(2) Any person who violates any provision of subsection (1) of this section commits a class 3 misdemeanor and shall be punished as provided in section 18-1-106, C.R.S. Any person who subsequently violates any provision of subsection (1) of this section within three years after the date of a conviction for a violation of subsection (1) of this section commits a class 1 misdemeanor and shall be punished as provided in section 18-1-106, C.R.S.

(3) A PERSON WHO REPRESENTS PROPERTY OWNERS AS AN ADVOCATE IN TAX OR VALUATION PROTESTS AND APPEALS PURSUANT TO TITLE 39, C.R.S., SHALL BE EXEMPT FROM THE LICENSING REQUIREMENTS OF THIS PART 7, BUT WHEN SUCH PERSON REPRESENTS PROPERTY OWNERS AS AN ADVOCATE AND WITNESS IN TAX OR VALUATION PROTESTS AND APPEALS, SUCH PERSON SHALL DISCLOSE HIS OR HER REMUNERATION TO THE PARTIES AND TO THE ARBITRATOR, THE BOARD OF ASSESSMENT APPEALS, OR THE DISTRICT COURT PRIOR TO THE ARBITRATION OR APPEAL.

**SECTION 10.** 12-61-714 (2), Colorado Revised Statutes, 1991 Repl. Vol., is amended to read:

**12-61-714. Special provision for appraiser employees of county assessors.**

(2) ~~Notwithstanding the provisions of subsection (1) of this section, any county assessor holding office on or before July 1, 1990, appraiser employee of any such assessor so employed on or before July 1, 1990, or any other public employee so employed on or before July 1, 1990, shall comply with the provisions of this part 7 by July 1, 1992. Thereafter, Any county assessor or appraiser employee of any such~~ COUNTY assessor shall have one year from the date of taking office or the beginning of employment to comply with the provisions of this part 7.

**SECTION 11.** 12-61-718 (3), Colorado Revised Statutes, 1991 Repl. Vol., as amended, is repealed as follows:

**12-61-718. Scope of article - regulated financial institutions - de minimis exemption.** (3) ~~Any savings by a financial institution in using an inside appraiser must be passed on to the consumer.~~

**SECTION 12.** 24-34-104 (25.5), Colorado Revised Statutes, 1988 Repl. Vol., as amended, is repealed as follows:

**24-34-104. General assembly review of regulatory agencies and functions for termination, continuation, or reestablishment.** (25.5) ~~The following board in the division of real estate shall terminate on July 1, 1996: The board of real estate~~

~~appraisers, created by article 61 of title 12, C.R.S.~~

**SECTION 13.** 24-34-104 (31) (b), Colorado Revised Statutes, 1988 Repl. Vol., as amended, is amended BY THE ADDITION OF A NEW SUBPARAGRAPH to read:

**24-34-104. General assembly review of regulatory agencies and functions for termination, continuation, or reestablishment.** (31) (b) The following AGENCIES, functions, ~~of the specified agencies~~ OR BOTH shall terminate on July 1, 2002:

(III) THE BOARD OF REAL ESTATE APPRAISERS, CREATED BY ARTICLE 61 OF TITLE 12, C.R.S.

**SECTION 14. Effective date.** This act shall take effect July 1, 1996.

**SECTION 15. Safety clause.** The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: June 1, 1996