

1993 Assembly Bill 226

Date of enactment: **May 14, 1993**
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1993 WISCONSIN ACT 3

AN ACT *to repeal* 458.08 (3) (b) and 458.08 (3) (c) 2; *to renumber and amend* 440.08 (2) (a) 10r and 458.08 (3) (c) 1; *to amend* 440.08 (2) (a) 11 and 12, 458.055 (1) to (4), 458.09 (2) (intro.), 458.11, 458.16, 458.22 and 458.26 (3) (intro.); and *to create* 458.03 (1) (f) and 458.08 (5) of the statutes, **relating to:** real estate appraiser certification, licensure, continuing education and practice requirements and granting rule-making authority.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 440.08 (2) (a) 10r of the statutes is renumbered 440.08 (2) (a) 11m and amended to read:

440.08 (2) (a) 11m. Appraiser, real estate, certified residential: ~~July~~ January 1 of each ~~odd-numbered~~ even-numbered year; \$39.

SECTION 2. 440.08 (2) (a) 11. and 12. of the statutes are amended to read:

440.08 (2) (a) 11. Appraiser, real estate, certified general: ~~July~~ January 1 of each ~~odd-numbered~~ even-numbered year; \$39.

12. Appraiser, real estate, licensed: ~~July~~ January 1 of each ~~odd-numbered~~ even-numbered year; \$39.

SECTION 3. 458.03 (1) (f) of the statutes is created to read:

458.03 (1) (f) Promulgate rules specifying the manner in which certified appraisers and licensed appraisers shall place their titles, as described in s. 458.055, and certificate numbers on appraisal reports and written appraisal agreements.

SECTION 4. 458.055 (1) to (4) of the statutes are amended to read:

458.055 (1) Use the title "Wisconsin certified appraiser", "Wisconsin certified general appraiser", "Wisconsin certified residential appraiser" or any similar title ~~or use the initials "CA", "CGA", "CRA" or any similar initials after the person's name~~ unless the person holds an applicable appraiser certificate issued under s. 458.06.

(2) Describe or refer to an appraisal of real estate located in this state by the term "Wisconsin certified" or any similar term unless the person holds an applicable appraiser certificate issued under s. 458.06.

(3) Use the title "Wisconsin licensed appraiser" or any similar title ~~or use the initials "LA" or any similar initials after the person's name~~ unless the person is a certified appraiser or licensed appraiser.

(4) Describe or refer to an appraisal of real estate located in this state by the term "Wisconsin licensed" or any similar term unless the person is a certified appraiser or licensed appraiser.

SECTION 5. 458.08 (3) (b) of the statutes is repealed.

SECTION 6. 458.08 (3) (c) 1. of the statutes is renumbered 458.08 (3) (c) and amended to read:

458.08 (3) (c) Submits evidence satisfactory to the department that he or she has successfully completed the educational and experience requirements specified in the rules promulgated under s. 458.085 (1) and (2).

SECTION 7. 458.08 (3) (c) 2. of the statutes is repealed.

SECTION 8. 458.08 (5) of the statutes is created to read:

458.08 (5) TRANSITIONAL LICENSURE. (a) Upon application and payment of the fee specified in s. 440.05 (1), the department shall grant and issue a transitional certificate of licensure as an appraiser to any individual who satisfies all of the requirements for licensure in sub. (3) (a), (d) and (e), but who satisfies only the experience or only the educational requirements in sub. (3) (c).

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Except as provided in par. (b), a transitional certificate granted under this paragraph is valid for 2 years from the date on which the transitional certificate is issued or until January 1, 1996, whichever occurs first, and may not be renewed.

(b) If the department grants and issues a transitional certificate of licensure under par. (a) to an individual who holds a certificate of licensure that was granted and issued under s. 458.08 (3) (b) 2. or (c) 2., 1991 stats., the transitional certificate is valid for 2 years less the period during which the individual held the certificate of licensure under s. 458.08 (3) (b) 2. or (c) 2., 1991 stats., or until January 1, 1996, whichever occurs first.

SECTION 9. 458.09 (2) (intro.) of the statutes is amended to read:

458.09 (2) (intro.) If an applicant for a certificate under s. 458.06 (3) or (4) or 458.08 (3) ~~or (5) (a)~~ or for renewal of that certificate under s. 458.11 is an assessor, all of the following apply:

SECTION 10. 458.11 of the statutes is amended to read:

458.11 Expiration and renewal. Renewal applications shall be submitted to the department on a form provided by the department on or before the applicable renewal date specified under s. 440.08 (2) (a) and shall include the applicable renewal fee specified under s. 440.08 (2) (a). Renewal of an appraiser certificate automatically renews the individual's appraiser license without payment of the renewal fee for the appraiser license or completion of any additional continuing education requirements that would otherwise be required for renewal of the appraiser license. Renewal applications shall be accompanied by proof of completion of the continuing education requirements in s. 458.13. Notwithstanding s. 458.06 (3) (b) 2. and (4) (b) 2., 1989 stats., and s. 458.08 (3) (b) 2. and (c) 2., ~~1991 stats.~~, the department may not renew a certificate that ~~expires on July 1, 1993 was granted under s. 458.06 (3) or (4) or 458.08 (3) before the effective date of this section [revisor inserts date],~~ unless the holder of the certificate satisfies the requirement in s. 458.06 (3) (b) or (4) (b) or 458.08 (3) ~~(b) 1. or (c)~~, as appropriate.

SECTION 11. 458.16 of the statutes is amended to read:

458.16 Use of certificate number and title. (1) Each certified appraiser shall place his or her title, as described in s. 458.055, and certificate number adjacent to or immediately below the title "Wisconsin certified general appraiser" or "Wisconsin certified residential appraiser" on each appraisal report and each written appraisal agreement used by the certified appraiser in conducting appraisal activities. The title and certificate number shall be placed in a manner specified by the department in the rules promulgated under s. 458.03 (1) (f). The title "Wisconsin certified residential appraiser" or "WI certified residential appraiser" may be used only

on an appraisal report or written appraisal agreement pertaining to commercial real estate having a transaction value of not more than \$250,000 or to residential real estate.

(2) Each licensed appraiser shall place his or her title, as described in s. 458.055, and certificate number adjacent to or immediately below the title "Wisconsin licensed appraiser" on each appraisal report and each written appraisal agreement used by the licensed appraiser in conducting appraisal activities. The title and certificate number shall be placed in a manner specified by the department in the rules promulgated under s. 458.03 (1) (f). The title "Wisconsin licensed appraiser" or "WI licensed appraiser" may be used only on an appraisal report or written appraisal agreement pertaining to real estate described in the rules promulgated under s. 458.03 (1) (e).

SECTION 12. 458.22 of the statutes is amended to read:

458.22 Use of title restricted to individual. No firm, partnership, corporation or other group of individuals may use the title "Wisconsin certified appraisers", "Wisconsin certified general appraisers", "Wisconsin certified residential appraisers", "Wisconsin licensed appraisers" or any similar title ~~or use the initials "CA", "CGA", "CRA", "LA" or any similar initials in connection with the name or signature of the firm, partnership, corporation or group of individuals.~~

SECTION 13. 458.26 (3) (intro.) of the statutes is amended to read:

458.26 (3) (intro.) Disciplinary proceedings shall be conducted by the board according to the rules promulgated under s. 440.03 (1). The department may deny any certificate under this chapter, and the board may deny, limit, suspend or revoke any certificate under this chapter, or reprimand or impose additional continuing education requirements on the holder of a certificate under this chapter, if # the department or board finds that the applicant for or holder of the certificate has done any of the following:

SECTION 14. Nonstatutory provisions. Notwithstanding section 440.08 (2) (a) 10r, 11. and 12., 1991 stats., and section 458.11, 1991 stats., the renewal date, as defined in section 440.01 (1) (dm) of the statutes, for an appraiser certificate that was issued under chapter 458 of the statutes before the effective date of this SECTION shall be extended from July 1, 1993, to January 1, 1994, without the payment of any fee or the completion of any other requirements by the holder of the certificate.

SECTION 15. Initial applicability. (1) The treatment of sections 458.03 (1) (f), 458.055 (1) to (4) and 458.16 of the statutes first applies to appraiser titles that are used on, and to appraisal descriptions and references that are made on, the effective date of this subsection.

(2) The treatment of section 458.08 (3) (b) and (c) 1. and 2. and (5) of the statutes first applies to individuals

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who apply to the department of regulation and licensing for appraiser licenses on the effective date of this subsection.

first applies to individuals whose appraiser certificates are renewed by the department of regulation and licensing on the effective date of this subsection.

(3) The treatment of section 458.11 of the statutes
