



Sen. Chuck Weaver

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10000SB1531sam001

LRB100 05772 SMS 25537 a

1 AMENDMENT TO SENATE BILL 1531

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 1531 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Real Estate Appraiser Licensing Act of 2002  
5 is amended by changing Section 25-10 as follows:

6 (225 ILCS 458/25-10)

7 (Section scheduled to be repealed on January 1, 2022)

8 Sec. 25-10. Real Estate Appraisal Administration and  
9 Disciplinary Board; appointment.

10 (a) There is hereby created the Real Estate Appraisal  
11 Administration and Disciplinary Board. The Board shall be  
12 composed of 10 persons appointed by the Governor, plus the  
13 Coordinator of the Real Estate Appraisal Division. Members  
14 shall be appointed to the Board subject to the following  
15 conditions:

16 (1) All appointed members shall have been residents and

1 citizens of this State for at least 5 years prior to the  
2 date of appointment.

3 (2) The appointed membership of the Board should  
4 reasonably reflect the geographic distribution of the  
5 population of the State.

6 (3) Four appointed members shall have been actively  
7 engaged and currently licensed as State certified general  
8 real estate appraisers for a period of not less than 5  
9 years.

10 (4) Four ~~Two~~ appointed members shall have been actively  
11 engaged and currently licensed as State certified  
12 residential real estate appraisers for a period of not less  
13 than 5 years, 2 of whom. ~~(5) Two appointed members shall~~  
14 ~~hold a valid licenses license as a real estate brokers or~~  
15 ~~managing brokers broker for at least 5 ~~10~~ years prior to~~  
16 ~~the date of the appointment, one of whom shall hold a valid~~  
17 ~~State certified general real estate appraiser license~~  
18 ~~issued under this Act or a predecessor Act for a period of~~  
19 ~~at least 5 years prior to the appointment and one of whom~~  
20 ~~shall hold a valid State certified residential real estate~~  
21 ~~appraiser license issued under this Act or a predecessor~~  
22 ~~Act for a period of at least 5 years prior to the~~  
23 ~~appointment.~~

24 (5) ~~(6)~~ One appointed member shall be a representative  
25 of a financial institution, as evidenced by his or her  
26 employment with a financial institution.

1           (6) ~~(7)~~ One appointed member shall represent the  
2 interests of the general public. This member or his or her  
3 spouse shall not be licensed under this Act nor be employed  
4 by or have any interest in an appraisal business, appraisal  
5 management company, real estate brokerage business, or a  
6 financial institution.

7           In making appointments as provided in paragraphs (3) and  
8 (4) of this subsection, the Governor shall give due  
9 consideration to recommendations by members and organizations  
10 representing the profession.

11           ~~In making the appointments as provided in paragraph (5) of~~  
12 ~~this subsection, the Governor shall give due consideration to~~  
13 ~~the recommendations by members and organizations representing~~  
14 ~~the real estate industry.~~

15           In making the appointment as provided in paragraph (5) ~~(6)~~  
16 of this subsection, the Governor shall give due consideration  
17 to the recommendations by members and organizations  
18 representing financial institutions.

19           (b) The term for members of the Board shall be 4 years, and  
20 each member shall serve until his or her successor is appointed  
21 and qualified. No member shall be reappointed to the Board for  
22 a term that would cause his or her cumulative service to the  
23 Board to exceed 10 years.

24           (c) The Governor may terminate the appointment of a member  
25 for cause that, in the opinion of the Governor, reasonably  
26 justifies the termination. Cause for termination may include,

1 without limitation, misconduct, incapacity, neglect of duty,  
2 or missing 4 Board meetings during any one calendar year.

3 (d) A majority of the Board members shall constitute a  
4 quorum. A vacancy in the membership of the Board shall not  
5 impair the right of a quorum to exercise all of the rights and  
6 perform all of the duties of the Board.

7 (e) The Board shall meet at least quarterly and may be  
8 convened by the Chairperson, Vice-Chairperson, or 3 members of  
9 the Board upon 10 days written notice.

10 (f) The Board shall, annually at the first meeting of the  
11 fiscal year, elect a Chairperson and Vice-Chairperson from its  
12 members. The Chairperson shall preside over the meetings and  
13 shall coordinate with the Coordinator in developing and  
14 distributing an agenda for each meeting. In the absence of the  
15 Chairperson, the Vice-Chairperson shall preside over the  
16 meeting.

17 (g) The Coordinator of the Real Estate Appraisal Division  
18 shall serve as a member of the Board without vote.

19 (h) The Board shall advise and make recommendations to the  
20 Department on the education and experience qualifications of  
21 any applicant for initial licensure as a State certified  
22 general real estate appraiser or a State certified residential  
23 real estate appraiser. The Department shall not make any  
24 decisions concerning education or experience qualifications of  
25 an applicant for initial licensure as a State certified general  
26 real estate appraiser or a State certified residential real

1 estate appraiser without having first received the advice and  
2 recommendation of the Board and shall give due consideration to  
3 all such advice and recommendations; however, if the Board does  
4 not render advice or make a recommendation within a reasonable  
5 amount of time, then the Department may render a decision.

6 (i) Except as provided in Section 15-17 of this Act, the  
7 Board shall hear and make recommendations to the Secretary on  
8 disciplinary matters that require a formal evidentiary  
9 hearing. The Secretary shall give due consideration to the  
10 recommendations of the Board involving discipline and  
11 questions involving standards of professional conduct of  
12 licensees.

13 (j) The Department shall seek and the Board shall provide  
14 recommendations to the Department consistent with the  
15 provisions of this Act and for the administration and  
16 enforcement of all rules adopted pursuant to this Act. The  
17 Department shall give due consideration to such  
18 recommendations prior to adopting rules.

19 (k) The Department shall seek and the Board shall provide  
20 recommendations to the Department on the approval of all  
21 courses submitted to the Department pursuant to this Act and  
22 the rules adopted pursuant to this Act. The Department shall  
23 not approve any courses without having first received the  
24 recommendation of the Board and shall give due consideration to  
25 such recommendations prior to approving and licensing courses;  
26 however, if the Board does not make a recommendation within a

1 reasonable amount of time, then the Department may approve  
2 courses.

3 (l) Each voting member of the Board shall receive a per  
4 diem stipend in an amount to be determined by the Secretary.  
5 Each member shall be paid his or her necessary expenses while  
6 engaged in the performance of his or her duties.

7 (m) Members of the Board shall be immune from suit in an  
8 action based upon any disciplinary proceedings or other acts  
9 performed in good faith as members of the Board.

10 (n) If the Department disagrees with any advice or  
11 recommendation provided by the Board under this Section to the  
12 Secretary or the Department, then notice of such disagreement  
13 must be provided to the Board by the Department.

14 (o) Upon resolution adopted at any Board meeting, the  
15 exercise of any Board function, power, or duty enumerated in  
16 this Section or in subsection (d) of Section 15-10 of this Act  
17 may be suspended. The exercise of any suspended function,  
18 power, or duty of the Board may be reinstated by a resolution  
19 adopted at a subsequent Board meeting. Any resolution adopted  
20 pursuant to this Section shall take effect immediately.

21 (Source: P.A. 98-1109, eff. 1-1-15.)

22 Section 99. Effective date. This Act takes effect upon  
23 becoming law."