

SENATE
STATE OF MINNESOTA
NINETY-SECOND SESSION

S.F. No. 785

(SENATE AUTHORS: HOWE, Weber, Latz and Eken)

DATE	D-PG	OFFICIAL STATUS
02/11/2021	308	Introduction and first reading Referred to Commerce and Consumer Protection Finance and Policy
02/25/2021	571	Authors added Weber; Latz
03/08/2021	757a	Comm report: To pass as amended
	759	Second reading
03/10/2021	811	Author added Eken
	4795	Rule 47, returned to Commerce and Consumer Protection Finance and Policy See SF1020

1.1 A bill for an act

1.2 relating to commerce; allowing continuing education credit, evaluations, and

1.3 modifying standards of conduct for real property appraisers; amending Minnesota

1.4 Statutes 2020, sections 45.305, subdivision 1, by adding a subdivision; 45.306, by

1.5 adding a subdivision; 82B.021, by adding subdivisions; 82B.03, by adding a

1.6 subdivision; 82B.195, by adding a subdivision; proposing coding for new law in

1.7 Minnesota Statutes, chapter 82B; repealing Minnesota Statutes 2020, section

1.8 45.306, subdivision 1.

1.9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.10 Section 1. Minnesota Statutes 2020, section 45.305, subdivision 1, is amended to read:

1.11 Subdivision 1. ~~Appraiser and Insurance Internet prelicense courses.~~ The design and

1.12 delivery of ~~an appraiser prelicense education course or an insurance prelicense education~~

1.13 course must be approved by the International Distance Education Certification Center

1.14 (IDECC) before the course is submitted for the commissioner's approval.

1.15 Sec. 2. Minnesota Statutes 2020, section 45.305, is amended by adding a subdivision to

1.16 read:

1.17 Subd. 1a. Appraiser Internet prelicense courses. The requirements for the design and

1.18 delivery of an appraiser prelicense education course are the requirements established by the

1.19 Appraiser Qualifications Board of the Appraisal Foundation and published in the most

1.20 recent version of the Real Property Appraiser Qualification Criteria.

2.1 Sec. 3. Minnesota Statutes 2020, section 45.306, is amended by adding a subdivision to
2.2 read:

2.3 Subd. 1a. **Appraiser Internet continuing education courses.** The requirements for the
2.4 design and delivery of an appraiser continuing education course are the requirements
2.5 established by the Appraiser Qualifications Board of the Appraisal Foundation and published
2.6 in the most recent version of the Real Property Appraiser Qualification Criteria.

2.7 Sec. 4. Minnesota Statutes 2020, section 82B.021, is amended by adding a subdivision to
2.8 read:

2.9 Subd. 14a. **Evaluation.** "Evaluation" means an estimate of the value of real property,
2.10 made in accordance with the Interagency Appraisal and Evaluation Guidelines provided to
2.11 an entity regulated by a federal financial institution's regulatory agency, for use in a real
2.12 estate-related financial transaction for which an appraisal is not required by federal law.

2.13 Sec. 5. Minnesota Statutes 2020, section 82B.021, is amended by adding a subdivision to
2.14 read:

2.15 Subd. 16a. **Interagency Appraisal and Evaluation Guidelines.** "Interagency Appraisal
2.16 and Evaluation Guidelines" means the appraisal and evaluation guidelines provided by a
2.17 federal financial institution's regulatory agency, as provided by Federal Register, volume
2.18 75, page 77450 (2010), as amended.

2.19 Sec. 6. Minnesota Statutes 2020, section 82B.03, is amended by adding a subdivision to
2.20 read:

2.21 Subd. 3. **Evaluation.** A licensed real estate appraiser may provide an evaluation. When
2.22 providing an evaluation, a licensed real estate appraiser is not engaged in real estate appraisal
2.23 activity and is not subject to this chapter. An evaluation by a licensed real estate appraiser
2.24 under this subdivision must contain a disclosure that the evaluation is not an appraisal.

2.25 Sec. 7. Minnesota Statutes 2020, section 82B.195, is amended by adding a subdivision to
2.26 read:

2.27 Subd. 5. **Evaluation.** When providing an evaluation, a licensed real estate appraiser is
2.28 not required to comply with the Uniform Standards of Professional Appraisal Practice.

3.1 Sec. 8. **[82B.25] VALUATION BIAS.**

3.2 Subdivision 1. **Definition.** For the purposes of this section, "valuation bias" means to
3.3 explicitly, implicitly, or structurally select data and apply that data to an appraisal
3.4 methodology or technique in a biased manner that harms a protected class, as defined by
3.5 the Fair Housing Act of 1968, and its amendments.

3.6 Subd. 2. **Education.** Within two years of receiving a license under this chapter, and as
3.7 required by the Appraiser Qualifications Board, a real property appraiser shall provide
3.8 evidence of satisfactory completion to the commissioner of a continuing education course
3.9 on the valuation bias of real property.

3.10 **EFFECTIVE DATE.** This section is effective September 1, 2021. A real property
3.11 appraiser who has received their license prior to the effective date of this section must
3.12 complete the course required by this section by August 31, 2023.

3.13 Sec. 9. **APPRAISER INTERNET COURSE REQUIREMENTS.**

3.14 Notwithstanding Minnesota Statutes, sections 45.305, subdivision 1a, and 45.306,
3.15 subdivision 1a, education providers may submit to the commissioner of commerce for
3.16 approval a classroom course under Minnesota Statutes, section 45.2, subdivision 2a, clause
3.17 (3), or a distance learning course, as defined in Minnesota Statutes, section 45.25, subdivision
3.18 5a, that has not been approved by the International Distance Education Certification Center.

3.19 **EFFECTIVE DATE.** This section is effective the day following final enactment and
3.20 expires after the peacetime emergency declared by the governor in an executive order that
3.21 relates to the infectious disease known as COVID-19 is terminated or rescinded or December
3.22 31, 2021, whichever is later.

3.23 Sec. 10. **REPEALER.**

3.24 Minnesota Statutes 2020, section 45.306, subdivision 1, is repealed.

APPENDIX
Repealed Minnesota Statutes: S0785-1

45.306 CONTINUING EDUCATION COURSES OFFERED OVER THE INTERNET.

No active language found for: 45.306.1