

SENATE BILL 69

C2

9lr0058

(PRE-FILED)

By: **Chair, Finance Committee (By Request – Departmental – Labor, Licensing and Regulation)**

Requested: October 25, 2018

Introduced and read first time: January 9, 2019

Assigned to: Finance

A BILL ENTITLED

1 AN ACT concerning

2 **Appraisal Management Companies – Annual Fee and Reports**

3 FOR the purpose of establishing the Appraisal Management Company Annual Federal
4 Registry Fee Fund; providing for the purpose of the Fund; providing for the
5 administration of the Fund; providing that the Fund is a continuing, nonlapsing fund
6 that is not subject to certain provisions of law; requiring the State Treasurer to hold
7 the Fund and the Comptroller to account for the Fund; providing that the Fund
8 consists of certain money; providing for the uses of the Fund; requiring the Fund to
9 be invested and reinvested in a certain manner and the investment earnings to be
10 credited to the General Fund; requiring the State Commission of Real Estate
11 Appraisers, Appraisal Management Companies, and Home Inspectors to collect,
12 deposit, and transmit certain fees to the Appraisal Subcommittee of the Federal
13 Financial Institutions Examinations Council each year; providing that the schedule
14 of certain fees is as established by the Appraisal Subcommittee; requiring the
15 Commission to send a certain roster and a certain report to the Appraisal
16 Subcommittee each year; defining certain terms; and generally relating to appraisal
17 management companies.

18 BY adding to

19 Article – Business Occupations and Professions

20 Section 16–5B–19

21 Annotated Code of Maryland

22 (2018 Replacement Volume)

23 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
24 That the Laws of Maryland read as follow:

25 **Article – Business Occupations and Professions**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **16-5B-19.**

2 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS
3 INDICATED.

4 (2) "AMC FEE" MEANS THE APPRAISAL MANAGEMENT COMPANY
5 ANNUAL FEDERAL REGISTRY FEE.

6 (3) "APPRAISAL SUBCOMMITTEE" MEANS THE APPRAISAL
7 SUBCOMMITTEE OF THE FEDERAL FINANCIAL INSTITUTIONS EXAMINATIONS
8 COUNCIL.

9 (4) "FUND" MEANS THE APPRAISAL MANAGEMENT COMPANY
10 ANNUAL FEDERAL REGISTRY FEE FUND.

11 (B) (1) THERE IS AN APPRAISAL MANAGEMENT COMPANY ANNUAL
12 FEDERAL REGISTRY FEE FUND.

13 (2) THE PURPOSE OF THE FUND IS TO HOLD THE AMC FEE
14 COLLECTED FROM EACH REGISTERED APPRAISAL MANAGEMENT COMPANY IN
15 ACCORDANCE WITH § 1109(A)(4) OF THE FEDERAL FINANCIAL INSTITUTIONS
16 REFORM, RECOVERY, AND ENFORCEMENT ACT OF 1989, AS AMENDED BY THE
17 DODD-FRANK WALL STREET REFORM AND CONSUMER PROTECTION ACT OF 2010,
18 UNTIL TRANSMITTAL TO THE APPRAISAL SUBCOMMITTEE.

19 (3) THE DIRECTOR OF THE COMMISSION SHALL ADMINISTER THE
20 FUND.

21 (4) (I) THE FUND IS A SPECIAL, NONLAPSING FUND THAT IS NOT
22 SUBJECT TO § 7-302 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.

23 (II) THE STATE TREASURER SHALL HOLD THE FUND
24 SEPARATELY, AND THE COMPTROLLER SHALL ACCOUNT FOR THE FUND.

25 (5) THE FUND CONSISTS ONLY OF THE AMC FEE COLLECTED FROM
26 EACH REGISTERED APPRAISAL MANAGEMENT COMPANY BY THE COMMISSION AND
27 DEPOSITED IN THE FUND EACH YEAR.

28 (6) THE FUND MAY BE USED ONLY FOR THE HOLDING OF AMC FEES
29 UNTIL TRANSMITTAL TO THE APPRAISAL SUBCOMMITTEE BY THE COMMISSION AT
30 THE DESIGNATED TIME EACH YEAR.

1 **(7) (I) THE STATE TREASURER SHALL INVEST THE MONEY OF THE**
2 **FUND IN THE SAME MANNER AS OTHER STATE MONEY MAY BE INVESTED.**

3 **(II) ANY INTEREST EARNINGS OF THE FUND SHALL BE**
4 **CREDITED TO THE GENERAL FUND OF THE STATE.**

5 **(C) (1) EACH YEAR, THE COMMISSION SHALL:**

6 **(I) COLLECT FROM EACH REGISTERED APPRAISAL**
7 **MANAGEMENT COMPANY THE AMC FEE AND DEPOSIT THE AMC FEE INTO THE**
8 **FUND; AND**

9 **(II) TRANSMIT TO THE APPRAISAL SUBCOMMITTEE THE AMC**
10 **FEES HELD IN THE FUND.**

11 **(2) THE SCHEDULE OF AMC FEES IS AS ESTABLISHED BY THE**
12 **APPRAISAL SUBCOMMITTEE.**

13 **(D) EACH YEAR, THE COMMISSION SHALL SEND TO THE APPRAISAL**
14 **SUBCOMMITTEE:**

15 **(1) A ROSTER OF THE APPRAISAL MANAGEMENT COMPANIES**
16 **REGISTERED WITH THE COMMISSION; AND**

17 **(2) A REPORT ON ANY FULLY ADJUDICATED DISCIPLINARY ACTIONS**
18 **TAKEN AGAINST OR ANY FINAL DECISIONS CONCERNING AN APPRAISAL**
19 **MANAGEMENT COMPANY.**

20 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
21 October 1, 2019.