

1 AN ACT concerning regulation.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

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7 (Section scheduled to be repealed on January 1, 2022)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  
17 citizens of this State for at least 5 years prior to the  
18 date of appointment.

19 (2) The appointed membership of the Board should  
20 reasonably reflect the geographic distribution of the  
21 population of the State.

22 (3) Four appointed members shall have been actively  
23 engaged and currently licensed as State certified general

1 real estate appraisers for a period of not less than 5  
2 years.

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

17 (5) ~~(6)~~ One appointed member shall be a representative  
18 of a financial institution, as evidenced by his or her  
19 employment with a financial institution.

20 (6) ~~(7)~~ One appointed member shall represent the  
21 interests of the general public. This member or his or her  
22 spouse shall not be licensed under this Act nor be employed  
23 by or have any interest in an appraisal business, appraisal  
24 management company, real estate brokerage business, or a  
25 financial institution.

26 In making appointments as provided in paragraphs (3) and

1 (4) of this subsection, the Governor shall give due  
2 consideration to recommendations by members and organizations  
3 representing the profession.

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

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

12 (b) The term for members of the Board shall be 4 years, and  
13 each member shall serve until his or her successor is appointed  
14 and qualified. No member shall be reappointed to the Board for  
15 a term that would cause his or her cumulative service to the  
16 Board to exceed 10 years.

17 (c) The Governor may terminate the appointment of a member  
18 for cause that, in the opinion of the Governor, reasonably  
19 justifies the termination. Cause for termination may include,  
20 without limitation, misconduct, incapacity, neglect of duty,  
21 or missing 4 Board meetings during any one calendar year.

22 (d) A majority of the Board members shall constitute a  
23 quorum. A vacancy in the membership of the Board shall not  
24 impair the right of a quorum to exercise all of the rights and  
25 perform all of the duties of the Board.

26 (e) The Board shall meet at least quarterly and may be

1 convened by the Chairperson, Vice-Chairperson, or 3 members of  
2 the Board upon 10 days written notice.

3 (f) The Board shall, annually at the first meeting of the  
4 fiscal year, elect a Chairperson and Vice-Chairperson from its  
5 members. The Chairperson shall preside over the meetings and  
6 shall coordinate with the Coordinator in developing and  
7 distributing an agenda for each meeting. In the absence of the  
8 Chairperson, the Vice-Chairperson shall preside over the  
9 meeting.

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

12 (h) The Board shall advise and make recommendations to the  
13 Department on the education and experience qualifications of  
14 any applicant for initial licensure as a State certified  
15 general real estate appraiser or a State certified residential  
16 real estate appraiser. The Department shall not make any  
17 decisions concerning education or experience qualifications of  
18 an applicant for initial licensure as a State certified general  
19 real estate appraiser or a State certified residential real  
20 estate appraiser without having first received the advice and  
21 recommendation of the Board and shall give due consideration to  
22 all such advice and recommendations; however, if the Board does  
23 not render advice or make a recommendation within a reasonable  
24 amount of time, then the Department may render a decision.

25 (i) Except as provided in Section 15-17 of this Act, the  
26 Board shall hear and make recommendations to the Secretary on

1 disciplinary matters that require a formal evidentiary  
2 hearing. The Secretary shall give due consideration to the  
3 recommendations of the Board involving discipline and  
4 questions involving standards of professional conduct of  
5 licensees.

6 (j) The Department shall seek and the Board shall provide  
7 recommendations to the Department consistent with the  
8 provisions of this Act and for the administration and  
9 enforcement of all rules adopted pursuant to this Act. The  
10 Department shall give due consideration to such  
11 recommendations prior to adopting rules.

12 (k) The Department shall seek and the Board shall provide  
13 recommendations to the Department on the approval of all  
14 courses submitted to the Department pursuant to this Act and  
15 the rules adopted pursuant to this Act. The Department shall  
16 not approve any courses without having first received the  
17 recommendation of the Board and shall give due consideration to  
18 such recommendations prior to approving and licensing courses;  
19 however, if the Board does not make a recommendation within a  
20 reasonable amount of time, then the Department may approve  
21 courses.

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

26 (m) Members of the Board shall be immune from suit in an

1 action based upon any disciplinary proceedings or other acts  
2 performed in good faith as members of the Board.

3 (n) If the Department disagrees with any advice or  
4 recommendation provided by the Board under this Section to the  
5 Secretary or the Department, then notice of such disagreement  
6 must be provided to the Board by the Department.

7 (o) Upon resolution adopted at any Board meeting, the  
8 exercise of any Board function, power, or duty enumerated in  
9 this Section or in subsection (d) of Section 15-10 of this Act  
10 may be suspended. The exercise of any suspended function,  
11 power, or duty of the Board may be reinstated by a resolution  
12 adopted at a subsequent Board meeting. Any resolution adopted  
13 pursuant to this Section shall take effect immediately.

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

15 Section 99. Effective date. This Act takes effect upon  
16 becoming law.