

1 HOUSE BILL NO. 872

2 INTRODUCED BY S. FITZPATRICK

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4 A BILL FOR AN ACT ENTITLED: "AN ACT GENERALLY REVISING LICENSING LAWS; CLARIFYING WHO
5 IS PERMITTED TO PROVIDE AN OPINION OR ESTIMATE OF MARKET VALUE AS TO REAL PROPERTY
6 TRANSACTIONS; PROVIDING AN APPROPRIATION; AMENDING SECTION 37-54-201, MCA; AND
7 PROVIDING AN EFFECTIVE DATE."

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9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

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11 **Section 1.** Section 37-54-201, MCA, is amended to read:

12 **"37-54-201. Real estate appraiser license -- scope and display of license.** (1) ~~Upon~~ On proof that
13 an applicant meets the qualifications set out in 37-54-202, the board shall issue to the applicant a real estate
14 appraiser license.

15 (2) The term "licensed real estate appraiser" may not be used to describe a firm, partnership,
16 corporation, group, or anyone other than an individual licensee. However, a licensed real estate appraiser may
17 engage in real estate appraisal as a professional corporation.

18 (3) This chapter does not preclude a person who is not a licensed or certified real estate appraiser
19 ~~from appraising~~ providing an opinion or estimate of market value as to real property for transactions ~~not related~~
20 ~~to a federal agency or project for compensation~~ if the person does not purport to be a licensed or certified real
21 estate appraiser. A person who purports that the person or the person's company is licensed under this section
22 or certified under 37-54-302 and 37-54-303 without possessing the applicable license or certificate is guilty of a
23 misdemeanor.

24 (4) This section does not:

25 (a) prohibit a person who is licensed to practice in this state under any law from engaging in the
26 practice for which the person is licensed;

27 (b) apply to public officials in the conduct of their official duties that are not governed by the rules
28 established by the federal financial institutions examination council agencies.

(5) A licensed or certified real estate appraiser is subject to restrictions on the scope of practice, depending on the value and complexity of the federally related transaction or transactions pursuant to rules established by the federal financial institutions examination council agencies, and the restrictions must remain current with any changes in those rules.

5 (6) A licensed real estate appraiser shall conspicuously display the license in the appraiser's
6 principal place of business."

8 NEW SECTION. **Section 2. Appropriation.** There is appropriated \$1,000 from the general fund to
9 the department of labor and industry for the fiscal year beginning July 1, 2025, to implement the changes
10 established in [section 1].

12 NEW SECTION. **Section 3. Effective date.** [This act] is effective July 1, 2025.

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