

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2015

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HOUSE BILL 651

Short Title: Appraisal Bd. Recordkeeping & Bkgrd. Checks. (Public)

Sponsors: Representatives Hardister, Szoka, and B. Turner (Primary Sponsors).

For a complete list of Sponsors, refer to the North Carolina General Assembly Web Site.

Referred to: Judiciary I.

April 14, 2015

1 A BILL TO BE ENTITLED
2 AN ACT TO BAR CIVIL ACTIONS FILED AFTER THE PERIOD OF RECORD
3 RETENTION ESTABLISHED UNDER THE UNIFORM STANDARDS OF
4 PROFESSIONAL APPRAISAL PRACTICE OR FIVE YEARS, WHICHEVER IS
5 GREATER, AND TO REQUIRE APPRAISAL MANAGEMENT COMPANIES TO
6 ACCEPT CRIMINAL BACKGROUND CHECKS PERFORMED WITHIN THE
7 PRECEDING TWELVE MONTHS.

8 The General Assembly of North Carolina enacts:

9 SECTION 1. G.S. 1-51 reads as rewritten:

10 "§ 1-51. Five years.

11 Within five years –

12 (1) No suit, action or proceeding shall be brought or maintained against a
13 railroad company owning or operating a railroad for damages or
14 compensation for right-of-way or use and occupancy of any lands by the
15 company for use of its railroad unless the action or proceeding is
16 commenced within five years after the lands have been entered upon for the
17 purpose of constructing the road, or within two years after it is in operation.

18 ...

19 (3) Notwithstanding G.S. 1-52(9) or any other provision of law, no suit, action,
20 or proceeding shall be brought or maintained against a real estate appraiser,
21 general real estate appraiser, or appraiser trainee who is licensed, certified,
22 or registered pursuant to Chapter 93E of the General Statutes, unless the suit,
23 action, or proceeding is commenced within (i) five years of the date the
24 appraisal was performed or (ii) until the applicable time period for retention
25 of the work file for the appraisal giving rise to the action as established by
26 the Recordkeeping Rule of the Uniform Standards of Professional Appraisal
27 Practice has expired, whichever is greater."

28 SECTION 2. G.S. 93E-2-4 reads as rewritten:

29 "§ 93E-2-4. Qualifications for registration; duties of registrants.

30 (a) Any person or entity desiring to be registered as an appraisal management company
31 in this State shall make written application to the Board on forms prescribed by the Board
32 setting forth the applicant's qualifications for registration. The application shall be accompanied
33 by the applicable fee under G.S. 93E-2-6 and any other information the Board deems necessary
34 pursuant to rules adopted by the Board. Upon receipt of a properly completed application and
35 fee and upon a determination by the Board that the applicant is of good moral character, the



1 Board shall issue to the applicant a certificate of registration authorizing the applicant to act as
2 a real estate appraisal management company in this State.

3 ...

4 (h) A registered appraisal management company that requires a real estate appraiser to
5 submit to a criminal background check as a condition of employment, contractual relationship,
6 or access to an appraisal portal shall accept a criminal background check that has been
7 performed within the preceding 12 months and that substantially conforms to the criminal
8 history record check required under G.S. 93E-2-11."

9 **SECTION 3.** This act is effective when it becomes law. Nothing in this act shall be
10 construed as being applicable to or affecting any pending litigation.