

1                                   A bill to be entitled  
 2           An act relating to real estate brokers, sales  
 3           associates, schools, and appraisers; amending ss.  
 4           475.180, 475.6235, and 475.631 F.S.; eliminating  
 5           provisions requiring nonresident applicants for  
 6           licensure, certification, or registration to file an  
 7           irrevocable written consent relating to certain  
 8           service of process; providing an effective date.

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 10   Be It Enacted by the Legislature of the State of Florida:

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 12           Section 1. Subsection (2) of section 475.180, Florida  
 13           Statutes, is amended to read:

14           475.180 Nonresident licenses.—

15           ~~(2)(a) Any applicant who is not a resident of this state~~  
 16           ~~shall file an irrevocable consent that suits and actions may be~~  
 17           ~~commenced against her or him in any county of this state in~~  
 18           ~~which a plaintiff having a cause of action or suit against her~~  
 19           ~~or him resides, and that service of any process or pleading in~~  
 20           ~~suits or actions against her or him may be made by delivering~~  
 21           ~~the process or pleading to the director of the Division of Real~~  
 22           ~~Estate by certified mail, return receipt requested, and also to~~  
 23           ~~the licensee by registered mail addressed to the licensee at her~~  
 24           ~~or his designated principal place of business. Service, when so~~  
 25           ~~made, must be taken and held in all courts to be as valid and~~  
 26           ~~binding upon the licensee as if made upon her or him in this~~  
 27           ~~state within the jurisdiction of the court in which the suit or~~  
 28           ~~action is filed. The irrevocable consent must be in a form~~

29 ~~prescribed by the department and be acknowledged before a notary~~  
 30 ~~public.~~

31 (a)~~(b)~~ Any resident licensee who becomes a nonresident  
 32 shall, within 60 days, notify the commission of the change in  
 33 residency and comply with nonresident requirements. Failure to  
 34 notify and comply is a violation of the license law, subject to  
 35 the penalties in s. 475.25.

36 (b)~~(e)~~ All nonresident applicants and licensees shall  
 37 comply with all requirements of commission rules and this part.  
 38 The commission may adopt rules necessary for the regulation of  
 39 nonresident licensees.

40 Section 2. Subsections (7) and (8) of section 475.6235,  
 41 Florida Statutes, are amended to read:

42 475.6235 Registration of appraisal management companies  
 43 required.—

44 ~~(7) An applicant for registration who is not a resident of~~  
 45 ~~the state shall file an irrevocable consent that suits and~~  
 46 ~~actions may be commenced against the appraisal management~~  
 47 ~~company in any county of the state in which a plaintiff having a~~  
 48 ~~cause of action or suit against the company resides and that~~  
 49 ~~service of any process or pleading in suits or actions against~~  
 50 ~~the company may be made by delivering the process or pleading to~~  
 51 ~~the director of the Division of Real Estate by certified mail,~~  
 52 ~~return receipt requested, and also to the appraisal management~~  
 53 ~~company by registered mail addressed to the company's designated~~  
 54 ~~principal business location or, if its principal business~~  
 55 ~~location is located in this state, to the company's registered~~  
 56 ~~agent. Service, when so made, must be taken and held in all~~

HB 4153

2012

57 ~~courts to be as valid and binding upon the appraisal management~~  
58 ~~company as if made upon the company in this state within the~~  
59 ~~jurisdiction of the court in which the suit or action is filed.~~  
60 ~~The irrevocable consent must be in a form prescribed by the~~  
61 ~~department and be acknowledged before a notary public.~~

62 (7)~~(8)~~ The department shall renew the registration of an  
63 appraisal management company upon receipt of the renewal  
64 application and the proper fee. The department shall adopt rules  
65 establishing a procedure for renewal of the registration of an  
66 appraisal management company at least every 4 years.

67 Section 3. Subsection (2) of section 475.631, Florida  
68 Statutes, is amended to read:

69 475.631 Nonresident licenses and certifications.—

70 ~~(2) (a) An applicant who is not a resident of this state~~  
71 ~~shall file an irrevocable consent that suits and actions may be~~  
72 ~~commenced against her or him in any county of this state in~~  
73 ~~which a plaintiff having a cause of action or suit against her~~  
74 ~~or him resides and that service of any process or pleading in~~  
75 ~~suits or actions against her or him may be made by delivering~~  
76 ~~the process or pleading to the director of the Division of Real~~  
77 ~~Estate by certified mail, return receipt requested, and also to~~  
78 ~~the certified appraiser or licensee by registered mail addressed~~  
79 ~~to the certified appraiser or licensee at her or his designated~~  
80 ~~principal place of business. Service, when so made, must be~~  
81 ~~taken and held in all courts to be as valid and binding upon the~~  
82 ~~certified appraiser or licensee as if made upon her or him in~~  
83 ~~this state within the jurisdiction of the court in which the~~  
84 ~~suit or action is filed. The irrevocable consent must be in a~~

HB 4153

2012

85 ~~form prescribed by the department and be acknowledged before a~~  
86 ~~notary public.~~

87 (a)~~(b)~~ Any resident state-certified appraiser who becomes  
88 a nonresident shall, within 60 days, notify the board of the  
89 change in residency and comply with nonresident requirements.  
90 Failure to notify and comply is a violation of the license law,  
91 subject to the penalties in s. 475.624.

92 (b)~~(e)~~ All nonresident applicants, certified appraisers,  
93 and licensees shall comply with all requirements of board rules  
94 and this part. The board may adopt rules pursuant to ss.  
95 120.536(1) and 120.54 necessary for the regulation of  
96 nonresident certified appraisers and licensees.

97 Section 4. This act shall take effect July 1, 2012.