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New Mexico Register

The official publication for all official notices of rulemaking
and filing of proposed, adopted and emergency rules.

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The New Mexico Register

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New Mexico Register

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September 26, 2023

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Notices of Rulemaking and Proposed Rules

HUMAN SERVICES DEPARTMENT INCOME SUPPORT DIVISION

NOTICE OF EMERGENCY RULEMAKING

The New Mexico Human Services Department (HSD) is issuing a temporary emergency rule to be effective October 1, 2023. The HSD is required to make changes to 8.102.500 of the New Mexico Administrative Code (NMAC) and 8.106.500 NMAC.

Each year the Department is required to make changes to the income and resource eligibility standards and the deduction amounts available to otherwise eligible households. These amounts are determined by the United States Department of Agriculture (USDA) and Food and Nutrition Services (FNS).

The Department received notification of the adjusted amounts on August 3, 2023, and will make the adjustments effective for benefit month October 2023 for Federal Fiscal Year (FFY) 2024 to comply with federal law and regulations.

The Department received the notice of the federal Cost-of-Living Adjustments (COLA) with less than sixty days to implement the changes to be effective on October 1 and has insufficient time to follow the regular rulemaking process. The Department is implementing an emergency rule to remain federally compliant as failure to implement beyond October 1 would place the Department in violation of Federal law.

Regulations issued pursuant to the act are contained in 45 CFR Parts 200-299.

Administration of the HSD, including its authority to promulgate regulations, is governed by Chapter 9, Article 8, NMSA 1978 (Repl. 1983).

The emergency rule will remain in effect until a permanent rule takes effect under normal rulemaking process.

The Human Services Register Vol. 46 No. 12 outlining the temporary emergency regulations is available on the HSD's website at: <http://www.hsd.state.nm.us/LookingForInformation/income-support/division-registers.aspx>.

HUMAN SERVICES DEPARTMENT MEDICAL ASSISTANCE DIVISION

NOTICE OF RULEMAKING

The Human Services Department (the Department), through the Medical Assistance Division (MAD), is proposing to amend the New Mexico Administrative Code (NMAC) rule 8.312.2, Long-Term Care Services - Nursing Services, Nursing Facilities. This amendment implements an add-on rate for ventilator services provided in long-term and skilled nursing facilities.

Section 9-8-6 NMSA 1978, authorizes the Department Secretary to promulgate rules and regulations that may be necessary to carry out the duties of the Department and its divisions.

Notice Date: September 26, 2023

Hearing Date: October 26, 2023

Adoption Date: Proposed as December 1, 2023

Technical Citations: State Plan Amendment (SPA) 22-0012 Nursing Facility (NF) Ventilator Services

The Department is proposing to amend the rule as follows: **8.312.2 NMAC**

Section 8 is amended to reflect the Department's current mission statement.

Section 13 is amended to reflect NF covered per diem add-on for

ventilator services in long-term and skilled nursing facilities in New Mexico.

Several changes have been made throughout the NMAC to comply with formatting requirements.

These proposed rule changes will be contained in 8.312.2 NMAC. This register and the proposed rule are available on the HSD website at: <https://www.hsd.state.nm.us/lookingforinformation/registers/> and <https://www.hsd.state.nm.us/public-information-and-communications/opportunity-for-public-comment/public-notices-proposed-waiver-changes-and-opportunities-to-comment/comment-period-open/>. If you do not have internet access, a copy of the proposed register and rule may be requested by contacting MAD at (505) 827-1337.

A public hearing to receive testimony on this proposed rule will be held on October 26, 2023, at 9:00 a.m. The hearing will be held at the Administrative Services Division (ASD), 1474 Rodeo Rd, Santa Fe, NM 87505 and **via conference call. Conference phone number: 1-800-747-5150. Access Code: 2284263.**

Interested persons may address written comments to:

Human Services Department
Office of the Secretary
ATTN: Medical Assistance Division
Public Comments
P.O. Box 2348
Santa Fe, New Mexico 87504-2348

Recorded comments may be left at (505) 827-1337. Interested persons may also address comments via electronic mail to: HSD-madrules@state.nm.us. Written mail, electronic mail and recorded comments must be received no later than 5 p.m. MT on October 26, 2023. Written and recorded comments will be given the same consideration as oral testimony made at the public hearing. All written comments received will be

posted as they are received on the HSD website at <https://www.hsd.state.nm.us/public-information-and-communications/opportunity-for-public-comment/public-notices-proposed-waiver-changes-and-opportunities-to-comment/comment-period-open/> along with the applicable register and rule. The public posting will include the name and any contact information provided by the commenter.

If you are a person with a disability and you require this information in an alternative format or require a special accommodation to participate in the public hearing, please contact the MAD in Santa Fe at (505) 827-1337. The Department requests at least 10 working days advance notice to provide requested alternative formats and special accommodations.

Copies of all comments will be made available by MAD upon request by providing copies directly to a requestor or by making them available on the MAD website or at a location within the county of the requestor.

MEDICAL BOARD

NOTICE OF PUBLIC RULE HEARING

Public Notice. The New Mexico Medical Board (NMMB) gives notice that it will conduct a public rule hearing on November 10, 2023 at 10:00 AM (MDT). This rule hearing is in person and can be accessed virtually. The purpose of the public hearing is to receive public input on the proposed amendments to 16.10.2 NMAC - Physicians: Physicians Licensure Requirements, 16.10.5 NMAC - Disciplinary Power of the Board and 16.10.6 - Complaint Procedure and Institution of Disciplinary Action. Physical Hearing Location is 2055 South Pacheco Street, Bldg. 400, Santa Fe, NM 87505.

Join Zoom Meeting
<https://us02web.zoom.us/j/831401024>

69?pwd=M1diTzRtZmNiNUkxR1ltNzBkNG1SQTO9

Meeting ID: 831 4010 2469

Passcode: 947330

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+1 929 205 6099 US (New York)

+1 301 715 8592 US

(Washington DC) Meeting ID: 831 4010 2469

Passcode: 947330

Find your local number: <https://us02web.zoom.us/j/83140102469>

Purpose. During the 2023 Legislative Session HB384 passed and was signed by Governor Lujan Grisham on April 3, 2023. HB384 enacted new sections and revisions to the Medical Practice Act and the Uniform Licensing Act to provide for an expedited one-year provisional license that confers the same rights, privileges and responsibilities as a regular license issued by the Board. Additionally, HB384 authorizes the Board to determine those states and territories of the United States and the District of Columbia from which it will not accept an applicant for expedited licensure and shall determine any foreign countries from which it will accept an applicant for expedited licensure.

HB384 also clarifies reasons for a licensee to be heard before the board and the timeframe for discovery by the board; authorizes issuance of specific civil investigative subpoenas for complaints licensees, applicants, or unlicensed persons; removes the requirement that licensees bear all costs of disciplinary proceedings unless they are excused or prevail; unlicensed persons with no address on record are to be personally served with any required notice; authorizes hearings to be held by virtual remote

means; removes the right of a party to be represented by a licensed member of the person's profession at a hearing before the board; a complete record of hearing evidence may be made using digital recording technology; requires a final decision and order based on the hearing to be made and executed within 90 days after the hearing is closed and the board must grant or refuse a request to reopen a case within 15 days after receipt of the request. HB384 eliminates the specified \$1,000 fine for licensure violation and increases from \$1,000 to \$10,000 the penalty for practicing without a license.

The revisions and additions to the Medical Practice Act and the Uniform Licensing Act requires promulgation of rules to implement the provisions set forth in HB384.

The statutory authorization.

Medical Practice Act Sections 61-6-1 through 61-6-35 NMSA 1978 and Uniform Licensing Act Sections 61-1-1 through 61-1-34, NMSA 1978.

No technical information serves as a basis for this proposed rule change.

Public comment. Interested parties may provide comment on the proposed amendments of this state rule at the public hearing or may submit written comments to Amanda Quintana, New Mexico Medical Board, 2055 South Pacheco Street, Bldg. 400, Santa Fe, NM 87505, or by electronic mail to AmandaL.Quintana@state.nm.us. All written comments must be received no later than 3:00 p.m. (MDT) on November 8, 2023. All written comments will be posted to the agency website within (3) three business days.

Copies of proposed rule. Copies of the proposed rules may be accessed through the New Mexico Medical Board's website at www.nmmb.state.nm.us or may be obtained from the Board office by calling (505) 476-7220 or via email at AmandaL.Quintana@state.nm.us.

Individuals with disabilities who require the above information in an alternative format, or who need any form of auxiliary aid to attend or participate in the public hearing are asked to contact Amanda Quintana at (505) 476-7230 or via email at AmandaL.Quintana@state.nm.us. The New Mexico Medical Board requires at least ten (10) calendar days advance notice to provide any special accommodations requested.

Summary of proposed changes.

The Board summarizes its proposed changes to its administrative rules as follows:

16.10.2 NMAC - Physicians: Licensure Requirements

As a general summary, the proposed changes to 16.10.2 NMAC are to:

- Define a Complete Application;
- Define License Renewal;
- Change the definition of a “Military Service Member”;
- Add expedited license to Categories of Active Licenses;
- Change “Medical License by Endorsement” to “Expedited Licensure”;
- Remove the application requirement to receive proof of citizenship;
- Add the meaning of “continuous practice”;
- Add the provision that the Board has discretion to require that an applicant for an expedited license take a competency examination;
- Add the procedure for an “incomplete” application;
- Under Criminal Arrests and Convictions include that the Board shall not exclude an otherwise qualified applicant on the sole basis that the person has been previously arrested or convicted of a crime unless the person has a disqualifying criminal conviction;

16.10.5 NMAC - Disciplinary Power of the Board

As a general summary, the proposed changes to 16.10.5 NMAC are to clarify the definitions of “license” and “Licensee”; clarify the provision

for reinstatement after the suspension of a license; add the definition of “probation” and add the conditions of probation; change the penalty for practicing without a license from \$1,000 to \$10,000; add that all fines received by the Board be deposited into the current school fund; strike reimbursement of costs and add limitations to the Disciplinary Power of the Board.

16.10.6 NMAC - Complaint Procedure and Institution of Disciplinary Action

As a general summary, the proposed changes to 16.10.6 NMAC are to do some basic clarification of the rule; add acceptable correspondence methods for administrative prosecution purposes; add the provision for peremptory challenge of hearing officer in the case of more than one hearing under one case number; add to the definition of Ex Parte Communication; add deadlines for receipt of hearing officers report and define the completion and closure of a hearing; add that a record of hearing shall include all evidence proffered but not admitted and admitted evidence; add that the record shall designate and seal those portions of the record that are privileged, confidential or redacted at the direction of the hearing officer, the request of a party or the request of a witness; and add the definition of Venue of a Hearing.

SUPERINTENDENT OF INSURANCE, OFFICE OF

NOTICE OF PROPOSED RULEMAKING

NOTICE IS HEREBY GIVEN that the Superintendent of Insurance (“OSI” or “Superintendent”) will hold a public hearing via videoconference regarding the **13.10.34 NMAC-STANDARDS FOR ACCIDENT ONLY, SPECIFIED DISEASE OF ILLNESS, HOSPITAL INDEMNITY AND RELATED EXCEPTED EXPENSES** and adding **13.10.34.23 NMAC- PLANS**

SOLD TO INDIVIDUALS COVERED UNDER MAJOR MEDICAL INSURANCE and 13.10.34.24 NMAC- CONTINUING EDUCATION This hearing will commence on **October 27, 2023, at 10:00 a.m. MDT.**

PURPOSE OF THE PROPOSED

RULE: The purpose of this amendment is to address ancillary plans that are only sold to consumers with major medical coverage, and to address specific producer obligations surrounding Excepted Benefits.

STATUTORY AUTHORITY:

Sections 59A-18, 59A-16 and 59A-23G-3 NMSA 1978.

TO ATTEND THE HEARING IN PERSON:

This meeting will be held in-person/online at:
Office of Superintendent of Insurance
1120 Paseo De Peralta, 4th Floor
Hearing Room
Santa Fe, NM 87501
To Attend via Teams Meeting: Click here to join the meeting
Meeting ID: 226 356 778 976
Passcode: YYPBdd

To Attend via Telephone: +1 505-312-4308 ID: 654 130 951#

The Superintendent designates Lawrence M. Marcus to act as the hearing officer for this rulemaking. Oral comments will be accepted at the public hearing from members of the public and other interested parties. Any updates concerning the hearing date, time, or location will be available by subscribing to the “Rulemaking and Ratemaking” newsletter at: <http://newsletter.osi.state.nm.us/>.

Copies of the Notice of Proposed Rulemaking and proposed new rules are available by electronic download from the OSI eDocket <https://edocket.osi.state.nm.us/case-view/5905> or by requesting a copy by calling (505) 795-1315.

Written comments will be accepted through 4:00 p.m. MDT on October 27, 2023. Responses to written

comments or oral comments will be accepted through 4:00 p.m. MDT on November 6, 2023. All comments shall be filed electronically through the OSI eDocket <https://edocket.osi.state.nm.us/case-view/5905> or mailed to:

**OSI Records and Docketing
NM Office of Superintendent of
Insurance
P.O. Box 1689, Santa Fe, NM
87504-1689**

All filings must be received between the hours of 8:00 a.m. and 4:00 p.m. Monday through Friday except on state holidays. The Superintendent will consider all oral comments and will review all timely submitted written comments and responses. For help submitting a filing, please contact osi-docketfiling@state.nm.us. The below docket number must be indicated on the comments.

**Docket No. 2023-0081 IN THE
MATTER OF AMENDMENT TO
13.10.34 NMAC- STANDARDS
FOR ACCIDENT ONLY,
SPECIFIED DISEASE
OF ILLNESS, HOSPITAL
INDEMNITY AND RELATED
EXCEPTED EXPENSES**

SPECIAL NEEDS: Any person with a disability requiring special assistance to participate in the hearing should contact Jennifer Romero at (505) 795-1315 no later than ten (10) business days prior to the hearing.

DONE AND ORDERED this
September 26, 2023.
/S/ ALICE T. KANE
SUPERINTENDENT OF
INSURANCE

**End of Notices of
Rulemaking and
Proposed Rules**

Adopted Rules

Effective Date and Validity of Rule Filings

Rules published in this issue of the New Mexico Register are effective on the publication date of this issue unless otherwise specified. No rule shall be valid or enforceable until it is filed with the records center and published in the New Mexico Register as provided in the State Rules Act. Unless a later date is otherwise provided by law, the effective date of the rule shall be the date of publication in the New Mexico Register. Section 14-4-5 NMSA 1978.

**HUMAN SERVICES
DEPARTMENT
INCOME SUPPORT DIVISION**

This is an emergency amendment to 8.102.500 NMAC, Section 8 effective 10/1/2023.

8.102.500.8 GENERAL REQUIREMENTS:

A. Need determination process: Eligibility for NMW, state funded qualified aliens and EWP cash assistance based on need requires a finding that:

(1) the benefit group's countable gross monthly income does not exceed the gross income limit for the size of the benefit group;

(2) the benefit group's countable net income after all allowable deductions does not equal or exceed the standard of need for the size of the benefit group;

(3) the countable resources owned by and available to the benefit group do not exceed the \$1,500 liquid and \$2,000 non-liquid resource limits;

(4) the benefit group is eligible for a cash assistance payment after subtracting from the standard of need the benefit group's countable income, and any payment sanctions or recoupments.

B. Gross income limits: The total countable gross earned and unearned income of the benefit group cannot exceed eighty-five percent of the federal poverty guidelines for the size of the benefit group.

(1) Income eligibility limits are revised and adjusted each year in October.

(2) The gross income limit for the size of the benefit group is as follows:

	(a)	
one person	[\$963]	<u>\$1033</u>
	(b)	
two persons	[\$1,297]	<u>\$1397</u>
	(c)	
three persons	[\$1,632]	<u>\$1761</u>
	(d)	
four persons	[\$1,966]	<u>\$2125</u>
	(e)	
five persons	[\$2,300]	<u>\$2490</u>
	(f)	
six persons	[\$2,635]	<u>\$2853</u>
	(g)	
seven persons	[\$2,969]	<u>\$3217</u>
	(h)	
eight persons	[\$3,303]	<u>\$3582</u>
	(i)	
add	[\$335]	<u>\$365</u> for each additional person.

C. Eligibility for support services only: Subject to the availability of state and federal funds, a benefit group that is not receiving cash assistance but has countable gross income that is less than one hundred percent of the federal poverty guidelines applicable to the size of the benefit group may be eligible to receive services. The gross income guidelines for the size of the benefit group are as follows:

	(1)	one person
		[\$1,133]
	(2)	<u>\$1215</u>
	(3)	two persons
		[\$1,526]
	(4)	<u>\$1644</u>
	(5)	three persons
		[\$1,920]
	(6)	<u>\$2072</u>
	(7)	four persons
		[\$2,313]
	(8)	<u>\$2500</u>
	(9)	five persons
		[\$2,706]
	(10)	<u>\$2929</u>
	(11)	six persons
		[\$3,100]
	(12)	<u>\$3357</u>
	(13)	seven persons
		[\$3,493]
	(14)	<u>\$3785</u>
	(15)	eight persons
		[\$3,886]
	(16)	<u>\$4214</u>
	(17)	add
		[\$394]
		<u>\$429</u> for each additional person.

D. Standard of need:

(1) The standard of need is based on the number of participants included in the benefit group and allows for a financial standard and basic needs.

(2) Basic needs include food, clothing, shelter, utilities, personal requirements and the participant's share of benefit group supplies.

(3) The financial standard includes approximately [~~\$91~~] \$111 per month for each participant in the benefit group.

(4) The standard of need for the NMW, state funded qualified aliens, and EWP cash assistance benefit group is:

	(a)	
one person	[\$266]	<u>\$327</u>
	(b)	
two persons	[\$357]	<u>\$439</u>
	(c)	
three persons	[\$447]	<u>\$549</u>
	(d)	
four persons	[\$539]	<u>\$663</u>
	(e)	
five persons	[\$630]	<u>\$775</u>
	(f)	
six persons	[\$721]	<u>\$887</u>
	(g)	
seven persons	[\$812]	<u>\$999</u>
	(h)	
eight persons	[\$922]	<u>\$1134</u>
	(i)	
add	[\$91]	<u>\$111</u> for each additional person.

E. Special needs:

(1) **Special clothing allowance:** A special clothing allowance may be issued to assist in preparing a child for school, subject to the availability of state or federal funds and a specific allocation of the available funds for this allowance.

(a) For purposes of determining eligibility for the clothing allowance,

a child is considered to be of school age if the child is six years of age or older and less than age 19 by the end of August.

(b)

The clothing allowance shall be allowed for each school-age child who is included in the NMW, TBP, state funded qualified aliens, or EWP cash assistance benefit group, subject to the availability of state or federal funds.

(c)

The clothing allowance is not allowed in determining eligibility for NMW, TBP, state funded qualified aliens, EWP cash assistance, or wage subsidy.

(2) Layette:

A one-time layette allowance of \$25 is allowed upon the birth of a child who is included in the benefit group. The allowance shall be authorized by no later than the end of the month following the month in which the child is born.

(3) Special

circumstance: Dependent upon the availability of funds and in accordance with the federal act, the HSD secretary, may establish a separate, non-recurring, cash assistance program that may waive certain New Mexico Works Act requirements due to a specific situation. This cash assistance program shall not exceed a four month time period, and is not intended to meet recurrent or ongoing needs.

F. Non-inclusion of legal guardian in benefit group:

Based on the availability of state and federal funds, the department may limit the eligibility of a benefit group due to the fact that a legal guardian is not included in the benefit group. [8.102.500.8 NMAC - Rp 8.102.500.8 NMAC, 07/01/2001; A, 10/01/2001; A, 10/01/2002; A, 10/01/2003; A/E, 10/01/2004; A/E, 10/01/2005; A, 07/17/2006; A/E, 10/01/2006; A/E, 10/01/2007; A, 11/15/2007; A, 01/01/2008; A/E, 10/01/2008; A, 08/01/2009; A, 08/14/2009; A/E, 10/01/2009; A, 10/30/2009; A, 01/01/2011; A, 01/01/2011; A, 07/29/2011; A/E, 10/01/2011;

A/E, 10/01/2012; A/E, 10/01/2013; A/E, 10/01/2014; A, 10/01/2015; A, 10/01/2016; A/E, 10/01/2017; A, 02/01/2018; A/E, 10/01/2018; A, 03/01/2019; A/E, 10/01/2019; A, 03/01/2020; A/E, 10/01/2020; A, 03/01/2021; A/E, 10/01/2021; A 04/01/2022; A/E,10/01/2022; A, 04/01/2023; A/E, 10/1/2023]

HUMAN SERVICES DEPARTMENT INCOME SUPPORT DIVISION

This is an emergency amendment to 8.106.500 NMAC, Section 8 effective 10/1/2023.

8.106.500.8 GA - GENERAL REQUIREMENTS:

A. Limited state funds may result in a suspension or reduction in general assistance benefits without eligibility and need considered.

B. Need determination process: Eligibility for the GA program based on need requires a finding that the:

(1) countable resources owned by and available to the benefit group do not exceed either the \$1,500 liquid or \$2,000 non-liquid resource limit;

(2) benefit group's countable gross earned and unearned income does not equal or exceed eighty-five percent of the federal poverty guideline for the size of the benefit group; and

(3) benefit group's countable net income does not equal or exceed the standard of need for the size of the benefit group.

C. GA payment determination: The benefit group's cash assistance payment is determined after subtracting from the standard of need the benefit group's countable income and any payment sanctions or recoupments.

D. Gross income test: The total countable gross earned and unearned income of the benefit group cannot exceed eighty-five percent of the federal poverty guidelines for the size of the benefit group.

(1) Income eligibility limits are revised and adjusted each year in October.

(2) The gross income limit for the size of the benefit group is as follows:

	(a)	
one person	[\$963]	<u>\$1033</u>
	(b)	
two persons	[\$1,297]	<u>\$1397</u>
	(c)	
three persons	[\$1,632]	<u>\$1761</u>
	(d)	
four persons	[\$1,966]	<u>\$2125</u>
	(e)	
five persons	[\$2,300]	<u>\$2490</u>
	(f)	
six persons	[\$2,635]	<u>\$2853</u>
	(g)	
seven persons	[\$2,969]	<u>\$3217</u>
	(h)	
eight persons	[\$3,303]	<u>\$3582</u>
	(i)	
add	[\$335]	<u>\$365</u> for each additional person.

E. Standard of need:

(1) As published monthly by the department, the standard of need is an amount provided to each GA cash assistance benefit group on a monthly basis and is based on availability of state funds, the number of individuals included in the benefit group, number of cases, number of applications processed and approved, application approval rate, number of case closures, IAR caseload number and expenditures, and number of pending applications.

(2) Basic needs include food, clothing, shelter, utilities, personal requirements, and an individual benefit group member's share of supplies.

(3) Notice: The department shall issue prior public notice identifying any change(s) to the standard of need amounts for the next quarter, as discussed at 8.106.630.11 NMAC.

F. Net income test:

The total countable earned and unearned income of the benefit group after all allowable deductions cannot equal or exceed the standard of need for the size of the GA benefit group. After the countable net income is determined it is rounded down prior

to the comparison of the household’s income to the standard of need to determine the households monthly benefit amount.

G. Special clothing allowance for school-age dependent children: A special clothing allowance may be issued to assist in preparing a child for school, subject to the availability of state or federal funds and a specific allocation of the available funds for this allowance.

(1) For purposes of determining eligibility for the clothing allowance, a child is considered to be of school age as defined by PED.

(2) The clothing allowance shall be allowed for each school-age child who is included in the GA cash assistance benefit group, subject to the availability of state or federal funds.

(3) The clothing allowance is not counted in determining eligibility for GA cash assistance.

H. Supplemental issuance: A one-time supplemental issuance may be distributed to recipients of GA for disabled adults based on the sole discretion of the secretary of the human services department and the availability of state funds.

(1) The one-time supplemental issuance may be no more than the standard GA payment made during the month the GA payment was issued.

(2) To be eligible to receive the one-time supplement, a GA application must be active and determined eligible no later than the last day of the month in the month the one time supplement is issued.

I. Minimum Benefit Amount: Benefits less than ten dollars (\$10.00) will not be issued for the initial month or subsequent months. ISD shall certify household beginning the month of application. [8.106.500.8 NMAC - N, 07/01/2004; A/E, 10/01/2004; A/E, 10/01/2005; A, 7/17/2006; A/E, 10/01/2006; A/E, 10/01/2007; A, 01/01/2008; A, 06/16/2008; A/E, 10/01/2008;

A, 07/01/2009; A/E, 10/01/2009; A, 10/30/2009; A, 12/01/2009; A, 01/01/2011; A, 07/29/2011; A/E, 10/01/2011; A/E, 10/01/2012; A, 07/01/2013; A/E, 10/01/2013; A/E, 10/01/2014; A, 10/01/2015; A, 10/01/2016; A/E, 10/01/2017; A, 2/01/2018; A/E, 10/01/2018; A, 3/1/2019; A/E, 10/01/2019; A, 3/1/2020 A/E, 10/01/2020; A, 3/1/2021; A/E, 10/01/2021; A, 04/01/2022; A/E, 10/01/2022; A, 04/01/2023; A/E, 10/1/2023]

**REGULATION
AND LICENSING
DEPARTMENT
REAL ESTATE APPRAISERS
BOARD**

This is an amendment to 16.62.1 NMAC Sections 3, 7, and 8 effective 9/26/2023

16.62.1.3 STATUTORY AUTHORITY: [~~These rules are promulgated pursuant to the real estate appraisers board, Sections 61-30-1, 3, 7 and 16 NMSA 1978 as amended.~~] These rules are promulgated pursuant to the Real Estate Appraisers Act, Section 61-30-1 to Section 61-30-24, NMSA 1978. [1/14/00; 16.62.1.3 NMAC - Rn, 16 NMAC 62.1.3, 09/13/2004; A, 09/26/2023]

16.62.1.7 DEFINITIONS: The following rules and regulations are for the purpose of implementing the provisions of the New Mexico Real Estate Appraisers Act.

A. Terms starting with the letter ‘A’ are defined as follows:

(1) **“Acceptable”** appraisal experience includes, but is not limited to the following: fee and staff appraisal, ad valorem tax appraisal, review appraisal, market analysis, real estate counseling/consulting, highest and best use analysis and feasibility analysis. All experience claimed must be obtained after January 30, 1989, and must be in conformance with applicable national uniform standards of professional appraisal practice

(USPAP). Appraisal experience acceptable toward licensing or certification can be from any state but must have been gained under the supervision of an appraiser who is certified at a level equal to or greater than the license or certificate the applicant is seeking. Experience claimed from previous periods when an applicant was a trainee, licensed, or certified will be acceptable, provided the experience claimed was completed and in compliance with the applicable rules pertaining to acceptable experience in effect at the time the experience was gained.

(2) **“Appraisers act”** or “act” means the New Mexico Real Estate Appraisers Act as defined in Section 61-30-1 NMSA 1978.

(3) **“Appraisal management company (AMC)”** means:

- (a) any external third party that oversees a network or panel of more than 15 certified or licensed appraisers in a state or 25 or more nationally within a given year to:
 - (i) recruit, select and retain appraisers;
 - (ii) contract with appraisers to perform appraisal assignments;
 - (iii) manage the process of having an appraisal performed; or
 - (iv) review and verify the work of appraisers; or

(b) any external third party that contracts with a qualifying licensed real estate broker or associate broker as defined in Chapter 61, Article 29 NMSA 1978 to provide broker price opinions.

(4) **“Appraisal management services”** means:

- (a) to recruit, select, and retain appraisers;
- (b) to contract with licensed and certified appraisers to perform appraisal assignments;
- (c) to manage the process of having

an appraisal performed, including providing administrative duties such as receiving appraisal orders and appraisal reports, submitting completed appraisal reports to creditors and underwriters, collecting fees from creditors and underwriters for services provided, and reimbursing appraisers for services performed; or

(d)

to review and verify the work of appraisers.

(5)

“**Appraisal review**” is the act or process of developing and communicating an opinion about the quality of another appraiser’s work that was performed as part of an appraisal, or an appraisal review assignment. The appraisal reviewer must have certification that corresponds with or is higher than the level of licensure required to perform the initial appraisal.

(6)

“**Assignment**” means one or more real estate appraisals and written appraisal report(s) covered by a single contractual agreement for a specified number of properties.

(7)

“**Appraiser**” means one who is expected to perform valuation services competently and in a manner that is independent, impartial, and objective.

B. Terms starting with the letter ‘B’ are defined as follows: “**Broker price opinion**” means: an opinion by a qualifying or associate broker of the price of real estate for the purpose of marketing, selling, purchasing, leasing or exchanging the real estate or any interest therein or for the purposes of providing a financial institution with a collateral assessment of any real estate in which the financial institution has an existing or potential security interest; provided that the opinion of the price shall not be referred to or construed as an appraisal or appraisal report and shall not be used as the primary basis to determine the value of real estate for the purpose of loan origination.

C. Terms starting with the letter ‘C’ are defined as follows:

(1)

“**Complaint committee**” shall be appointed by the board. The chairperson of the committee shall be an appraiser board member. The board appointed complaint committee is for the purpose of review of complaints and shall make recommendations to the board as to its findings. No real estate appraiser organization shall have a majority membership on the committee.

(2)

“**Complex**” means a one to four family residential property appraisal in which the property to be appraised, the form of ownership, or the market conditions are atypical.

(3)

“**Content approval for distance education**” non-academic credit college courses provided by a college shall be approved by the appraiser qualifications board (AQB) and the New Mexico real estate appraisers board.

D. Terms starting with the letter ‘D’ are defined as follows:

“**Duly made application**” means an application to the New Mexico real estate appraisers board including Subparagraphs (a) through (g) set out below, in addition to any other requirements of the board:

(1)

a completed application on the form provided by the board; the form must be signed by the applicant attesting to the truthfulness of the information provided in the application; electronic signatures shall be acceptable;

(2)

letters of verification from at least three individuals who are not related to the applicant but who are acquainted personally and professionally with him/her and who can attest that the applicant is of good moral character; and is competent;

(3)

a statement attesting that he/she is a native, a naturalized citizen or a legal resident of the United States;

(4)

(2) transcripts or certificates or statements showing successful completion of the required appraisal courses;

~~(5)~~

a recent photograph of the applicant in which the applicant clearly is discernible; the photograph must be at least two inches by three inches in size;

~~(6)~~

(3) a check or money order or online payment for the fees set out in 16.62.12.8 NMAC;

~~(7)~~

(4) an appraiser experience log recorded on the forms approved by the board or on another approved form, if required.

E. Terms starting with the letter ‘E’ are defined as follows:

(1)

“**Education advisory committee**” shall be appointed by the board for the purpose of review of applications for course approval and sponsorship approval of appraiser educational offerings and shall make recommendations to the board as to its findings. Membership in a professional organization or association shall not be a prerequisite to serve on the committee. No real estate appraiser organization shall have a majority membership on the committee.

(2)

“**Ethics rule**” An appraiser must promote and preserve the public trust inherent in appraisal practice by observing the highest standards of professional ethics. An appraiser must comply with USPAP when obligated by law or regulation, or by agreement with the client or intended users. In addition to these requirements, an individual should comply any time that individual represents that he or she is performing the service as an appraiser.

(3)

“**Experience**” is defined as verifiable time spent in performing tasks in accordance with the definition of “appraisal” and “appraisal assignment”, as stated in the act, Section 61-30-3, NMSA 1978. Such tasks include inspecting and analyzing properties; assembling and analyzing relevant market data; forming objective opinions as to the value, quality or utility of such properties; and preparing reports or file memoranda showing data, reasoning and conclusions. Professional

responsibility for the valuation function is essential for experience credit.

(4)

“**Experience**” will be submitted to the board in the form of a log, which indicates assignment information and type, compensation status, time spent on the assignment and whether the applicant signed the report. Experience credit claimed on the log must be attested to by the supervising appraiser. Experience logs are subject to review and request for supporting documentation. As an alternative method of obtaining all required experience credits necessary for licensure as a licensed appraiser, the board will accept experience obtained from an appraisal qualification board-approved provider through a Practical Applications of Real Estate Appraisal (PAREA) program.

(5)

“**Experience review process**” is the method by which appraiser experience is approved for credit toward licensure or certification. The process includes the review of the experience log submitted by the applicant; selection of three or more entries for review of the reports and any additional file memoranda; and approval of experience hours claimed and conformance of reports with applicable national uniform standards of professional appraisal practice (USPAP) standards.

F. Term starting with the letter ‘F’ is defined as follows: “**FIRREA**” means the Financial Institutions Reform, Recovery and Enforcement Act of 1989, and its amendments.

G. Terms starting with the letter ‘G’. [RESERVED]

H. Terms starting with the letter ‘H’. [RESERVED]

I. Terms starting with the letter ‘I’. “**IDECC**” - international distance education certification center.

J. Terms starting with the letter ‘J’. [RESERVED]

K. Terms starting with the letter ‘K’. [RESERVED]

L. Terms starting with the letter ‘L’ are defined as follows:

(1)

“**Licensee**” means a trainee, license, residential certificate or general certificate.

(2)

“**Location**” means the offices of the New Mexico real estate appraisers board will be located in Santa Fe or Albuquerque, New Mexico.

M. Term starting with the letter ‘M’ is defined as follows: “**Module**” is an appraisal subject matter area (and required hours of coverage) as identified in the required core curriculum. All modules identified in the required core curriculum for a specific classification must be successfully completed to satisfy the educational requirements as set forth in the appraiser qualifications board (AQB) real property appraiser qualification criteria.

N. Term starting with the letter ‘N’ is defined as follows: “**Nonresident appraiser**” for the purpose of 61-30-20 of the New Mexico Real Estate Appraisers Act, nonresident applicants; reciprocity, means an individual who holds a current trainee registration, license, or certificate, and is in good standing, in another state.

O. Terms starting with the letter ‘O’. [RESERVED]

P. Terms starting with the letter ‘P’ are defined as follows:

(1)

“**Practicing appraiser**” means a state licensed or certified appraiser in good standing, engaged in performing appraisal assignments.

(2) “**Primary**

business location” means the geographical location of a business where the supervisor and trainee spend the majority of their time. A trainee may perform work only in areas where the supervising appraiser has competency pursuant to USPAP.

(3) “**Practical**

applications of real estate appraisal (PAREA)” The appraisal foundation appraiser qualifications board adopted the Practical Applications of Real Estate Appraisal (PAREA) effective January 1, 2021. These new minimum criteria provide another

pathway for aspiring appraisers to fulfill their experience requirements by taking advantage of innovative technology. PAREA is designed to offer practical experience in a virtual environment combining appraisal theory and methodology in real-world simulations. This experience can be provided through a wide range of online and virtual reality technologies.

Q. Terms starting with the letter ‘Q’. [RESERVED]

R. Term starting with the letter ‘R’ is defined as follows: “**Required core curriculum**” is a set of appraisal subject matter (known as ‘modules’) which require a specified number of educational hours at each credential level; as set forth in the appraiser qualifications board (AQB) real property appraiser qualification criteria.

S. Term starting with the letter ‘S’ is defined as follows: “**Supervisor**” means a certified residential or certified general appraiser in good standing in the training jurisdiction and not subject to any disciplinary action within the last three years that affects the supervisor’s legal ability to engage in appraisal practice.

T. Term starting with the letter ‘T’ is defined as follows: “**Trainee**” means an individual taught to become a state licensed or certified appraiser under the direct supervision of a supervising appraiser.

U. Term starting with the letter ‘U’ is defined as follows: “**Uniform standards of professional appraisal practice**” (USPAP) means the uniform standard or the profession standard promulgated by the appraisal standards board of the appraisal foundation and adopted by rules pursuant to the Real Estate Appraiser Act and deals with the procedures to be followed in which an appraisal, analysis, or opinion is communicated.

V. Terms starting with the letter ‘V’. [RESERVED]

W. Term starting with the letter ‘W’ is defined as follows: “**Work file**” is documentation necessary to support an appraiser’s analyses, opinions, and conclusions.

X. Terms starting with the letter ‘X’. [RESERVED]
Y. Terms starting with the letter ‘Y’. [RESERVED]
Z. Terms starting with the letter ‘Z’. [RESERVED]
 [1/14/00; 16.62.1.7 NMAC - Rn & A, 16 NMAC 62.1.7, 09/13/2004; A, 11/25/06; A, 06/13/08; A, 11/15/08; A, 10/16/2009; A, 08/21/2010; A, 7/10/2011; A, 01/01/2015; A, 06/01/2015; A, 02/03/2019; A, 09/26/2023]

16.62.1.8 STANDARDS OF PROFESSIONAL PRACTICE, CODE OF PROFESSIONAL RESPONSIBILITY AND ADOPTION OF FIRREA:

A. The national uniform standards of professional appraisal practice (USPAP) as promulgated by the appraisal standards board of the appraisal foundation, and adopted and incorporated by reference are the minimum requirements. The appraisal standards board’s code of professional responsibility and Ethics Rule, are the minimum professional and ethical standards that will govern appraisers practicing in New Mexico.

B. The Financial Institutions Reform, Recovery and Enforcement Act (FIRREA, 12 U.S.C. 3351) and its current amendments are adopted and incorporated into these regulations by reference.

C. Pursuant to Title XI of FIRREA, as amended by the Dodd-Frank Act of 2010, the board shall:

(1) designate a high ranking officer, such as a board administrator, who will serve as the state’s authorized registry official (SARO), and must ensure that non-public data is appropriately protected;

(2) provide to the ASC, in writing, information regarding the selected authorized registry official, and any individual(s) authorized to act on their behalf, and should ensure that the authorization information provided to the ASC is kept current; and

(3) adopt and implement a written policy to adequately protect the right of access.

[1/14/00; 16.62.1.8 NMAC - Rn & A, 16 NMAC 62.1.8, 09/13/2004; A, 11/25/06; A, 01/01/2015; A, 09/26/2023]

**REGULATION AND LICENSING DEPARTMENT
 REAL ESTATE APPRAISERS BOARD**

This is an amendment to 16.62.2 NMAC Sections 3, 8, and 9 effective 9/26/2023

16.62.2.3 STATUTORY AUTHORITY: [~~These rules are promulgated pursuant to the real estate appraisers board, Sections 61-30-7, 10, 10.1, 13 and 14 NMSA 1978 as amended.~~] These rules are promulgated pursuant to the Real Estate Appraisers Act, Section 61-30-1 to Section 61-30-24, NMSA 1978. [1/14/2000; 16.62.2.3 NMAC - Rn, 16 NMAC 62.2.3, 9/13/2004; A, 09/26/2023]

16.62.2.8 TRAINEE: A holder of a trainee registration, but not a license or certificate, is authorized to prepare appraisals of all types of real estate or real property, provided such appraisals are not described or referred to as “state licensed” or “state certified” and provided further, the trainee appraiser does not assume or use any title, designation or abbreviation likely to create the impression that he/she is a state-licensed or state-certified real estate appraiser. Trainees are not qualified to perform under FIRREA, Title XI. An applicant for trainee real estate appraiser registration in the state of New Mexico must:

~~**A.** be a legal resident of the United States;~~

A. Criminal history background check: All applicants for initial issuance or reinstatement of a certificate and license in New Mexico shall be required to be fingerprinted to establish positive identification for a state and federal criminal history background check.

(1) The applicant will register online, through the approved department of public safety website, with the board’s Originating Agency Identification (ORI) number and make payment with registration. After the process is complete, the applicant will receive a registration confirmation.

(2) Results will be sent to the board electronically. The board shall not issue a certificate or license until the applicant’s background check has been successfully completed.

(3) Out-of-state applicants, who are unable to visit an approved live scan fingerprinting facility, may follow the same registration process and submit a hardcopy fingerprint card to the approved live scan fingerprinting facility. The results will be sent to the board electronically. The board shall not issue a certificate or license until the applicant’s background check has been successfully completed.

B. have reached the age of majority;

C. within the five year period preceding the application, prove successful completion of real estate appraisal education of at least 75 board-approved creditable class hours of qualifying education as outlined in the required core curriculum of the appraiser qualifications board (AQB); real estate appraisal education programs completed for credit toward this requirement shall include coverage of the following topics, with emphasis on ethics, and basic appraisal principles and procedures in: basic appraisal principles - 30 hours; basic appraisal procedures - 30 hours; and the 15-hour national USPAP course or its equivalent;

D. comply with the competency rule of (USPAP).

E. courses taken in satisfying the qualifying education requirements shall not be repetitive in nature; each course credited toward the required number of qualifying education hours shall represent a progression in which the appraiser’s knowledge is increased;

~~[F.]~~ demonstrate to the board that he/she is honest, trustworthy and competent;

~~[G.]~~ **E.** successful completion of a written examination on the New Mexico Real Estate Appraisers Act, administered by the board;

~~[H.]~~ **G.** pay the fees set out in 16.62.12.8 NMAC;

~~[I.]~~ **H.** submit a duly made application to the board office;

~~[J.]~~ **I.** declare a supervisor or provide proof of enrollment in Practical Applications of Real Estate Appraisal (PAREA) program; and

~~[K.]~~ **J.** successfully complete a supervisor/trainee course, taught either in person or through distance education, consistent with AQB criteria, provided that successful completion of the course examination is required.

[1/14/2000; 16.62.2.8 NMAC - Rn & A, 16 NMAC 62.2.8, 9/13/2004; A, 11/25/2006; A, 6/13/2008; A, 8/21/2010; A, 7/10/2011; A, 1/1/2015; A, 2/3/2019; A, 10/30/2021; A, 09/26/2023]

16.62.2.9 SUPERVISING APPRAISER/TRAINEE:

A. Supervision of trainees: An appraiser may engage a declared trainee to assist in the performance of real estate appraisals and related activities, provided the supervising real estate appraiser:

(1) has been state certified and in good standing for a period of at least three years, whether in New Mexico or another domestic jurisdiction of comparable real estate appraisal laws and regulations, prior to being eligible to become a supervising appraiser. A supervising appraiser does not need to have been state-certified and in good standing in New Mexico for any specific minimum period of time;

(2) shall not have been subject to any disciplinary action in any jurisdiction within the last three years that affected the supervising appraiser's legal eligibility to engage in appraisal practice. A supervisory appraiser subject to a disciplinary action

shall be considered to have been in good standing three years after the successful completion or termination of any and all sanctions imposed against the appraiser;

(3) has no more than three trainees working under his/her supervision at one time;

(4) actively supervises the trainee by either being physically present or by a form of electronic communication; and

(5) is competent pursuant to USPAP in all appraisals supervised.

B. Prior to the date any trainee begins performing real estate appraisal and related activities under his/her supervision, the supervisor must:

(1) inform the board of the name of the trainee on the declaration form prescribed by the board; the supervisor must also inform the board within 10 days when a trainee is no longer working under his/her supervision; and

(2) complete a supervisor/trainee education program, either in person or via distance education consistent with the AQB and approved by the board, regarding the role of a supervisor provided further that:

(a) if continuously supervising trainees, supervisors must complete the class at least every four years;

(b) successful completion of the examination is not required; and

(3) this class may be used as part of the continuing education requirements for the biennial renewal cycle.

C. When training for residential license or residential certification the supervisor must accompany the trainee on complete interior inspections of the subject property on the first 25 assignments; after that point, the trainee may perform the inspections without the presence of the supervisor provided the trainee is competent to perform those inspections in accordance with the competency rule of USPAP for the property type.

D. When training for general certification the supervisor must accompany the trainee on inspections of the subject property on the first 25 non-residential assignments; after that point, the trainee may perform the inspections without the presence of the supervisor provided the trainee is competent to perform those inspections in accordance with the competency rule of USPAP for the property type and market area.

E. The supervising appraiser shall:

(1) review all appraisal reports and supporting data used in connection with appraisals in which the services of a trainee are utilized;

(2) certify that the report is in compliance with USPAP;

(3) maintain an experience log jointly with the appraiser trainee to ensure the experience log is accurate, current and complies with the requirements of the trainee appraiser's credentialing jurisdiction;

(4) sign the appraisal experience log at least every 30 days and use the title "supervising appraiser" when signing;

(5) review the hours claimed on the log and address any discrepancies.

F. Appraisal experience logs shall include:

(1) type of property;

(2) date of report;

(3) address of appraised property;

(4) description of work performed by the trainee appraiser and the scope of the review and supervision of the supervisory appraiser;

(5) number of actual work hours by the trainee appraiser on the assignment; and

(6) the signature and state certification number of the supervising appraiser.

G. Separate appraisal logs shall be maintained for each supervising appraiser, if applicable.

H. The supervising appraiser shall not be employed by a trainee or by a company, firm or partnership in which the trainee has a controlling interest.

I. Trainees: All trainees shall perform all real estate appraisal and related activities under the immediate, active, and personal supervision of a certified real estate appraiser through their declared supervisor or through the appraiser qualifications boards approved practical applications of real estate appraisal (PAREA) program.

(1) All appraisal reports must be signed by the trainee’s declared supervisor. By signing the appraisal report, the certified appraiser accepts responsibility with the trainee for the content of and conclusions of the report.

(2) A trainee may assist in the performance of real estate appraisals and claim full credit for the actual hours worked on an appraisal, provided the trainee maintains a log on a form prescribed by the board.

(a) The log must detail all appraisals and related activities performed by the trainee. The hours claimed on the log must be verifiable by either signature on the report or by other written documentation in the work file.

(b) The log must be updated and signed by the supervisor at least every 30 days.

(c) The log must contain a statement affirming that both the supervising appraiser and trainee have competence as defined by USPAP.

(d) An experience log submitted from a jurisdiction located outside of New Mexico will be accepted, provided all of the following criteria are satisfied:

(i) the experience where the appraisal experience occurred fully complied with all requirements of that jurisdiction;

(ii) the experience log meets the

requirements of the jurisdiction where the appraisal experience occurred; and **(iii)**

both the trainee and supervisor attest to the accuracy and validity of the experience log.

(3) Trainees must complete a supervisor/trainee education program, either in person or via distance education, approved by the appraisal board before supervision begins. The trainee shall not receive appraisal experience credit for appraisals performed until the class is completed.

(4) Trainees shall assure that the supervisor has properly completed and sent the declaration form to the appraisal board on or before the day the trainee begins assisting the supervising appraiser.

(5) Trainees shall not receive appraisal experience credit for appraisal and related activities performed in violation of this section.

J. Notification of disciplinary complaint: A supervising appraiser shall notify all declared trainees within 10 days of receiving written notification by the board that a complaint has been filed against the supervising appraiser.

[16.62.2.9 NMAC - N, 1/1/2015; A, 1/15/2017; A, 2/3/2019; A, 10/30/2021; A, 09/26/2023]

**REGULATION
AND LICENSING
DEPARTMENT
REAL ESTATE APPRAISERS
BOARD**

**This is an amendment to 16.62.3
Sections 3 and 8 effective 9/26/2023**

16.62.3.3 STATUTORY AUTHORITY: [This part is promulgated pursuant to the real estate appraisers board, Sections 61-30-7, 10, 11, 13 and 14 NMSA 1978 as amended.] These rules are promulgated pursuant to the Real Estate Appraisers Act, Section 61-30-1 to Section 61-30-24, NMSA 1978. [10/1/1997; 16.62.3.3 NMAC - Rn,

16 NMAC 62.3.3, 9/13/2004; A, 09/26/2023]

16.62.3.8 LICENSED RESIDENTIAL: Licensed Residential real estate appraisers may appraise complex residential or nonresidential real estate provided such appraisals are not described or referred to as meeting the requirements of FIRREA. Licensed Residential real estate appraisers may not assume or use any title, designation or abbreviation likely to create the impression of certification.

A. For federally related transactions, the licensed residential real estate appraiser classification applies to the appraisal of non-complex one to four residential units having a transaction value less than \$1,000,000 and complex one to four residential units having a transaction value less than \$400,000.

B. Complex one-to four-family residential property appraisal means one in which the property to be appraised, the form of ownership, or the market conditions are atypical. For non-federally related transaction appraisals, transaction value shall mean market value.

C. All licensed residential real estate appraisers must comply with the competency rule of the national uniform standards of professional appraisal practice (USPAP)

D. Applicants for licensed residential in the state of New Mexico must.

~~[(4) be a legal resident of the United States;]~~

(1) Criminal history background check: All applicants for initial issuance or reinstatement of a certificate and license in New Mexico shall be required to be fingerprinted to establish positive identification for a state and federal criminal history background check.

(a)

The applicant will register online, through the approved department of public safety website, with the board’s originating agency identification (ORI) number and make payment

with registration. After the process is complete, the applicant will receive a registration confirmation.

(b)

Results will be sent to the board electronically. The board shall not issue a certificate or license until the applicant's background check has been successfully completed.

(c)

Out-of-state applicants, who are unable to visit an approved live scan fingerprinting facility, may follow the same registration process and submit a hardcopy fingerprint card to the approved live scan fingerprinting facility. The results will be sent to the board electronically. The board shall not issue a certificate or license until the applicant's background check has been successfully completed.

(2) have

reached the age of majority;

(3) prove

successful completion of real estate appraisal education of at least 150 board-approved creditable class hours of qualifying education as outlined in the required core curriculum of the appraiser qualifications board (AQB); real estate appraisal education programs completed for credit toward this requirement shall include coverage of the following modules:

(a)

basic appraisal principles
30 hours

(b)

basic appraisal procedures
30 hours

(c)

the 15 hour national USPAP course and examination 15 hours

(d)

residential market analysis and highest and best use 15 hours

(e)

residential appraiser site valuation and cost approach 15 hours

(f)

residential sales comparison and income approaches 30 hours

(g)

residential report writing and case studies 15 hours

(4)

successfully complete the appraiser qualifications board (AQB) approved licensed residential real estate appraiser examination; there is no alternative to successful completion of the examination; successful completion of the examination is valid for a period of 24 months, and the applicant must meet the requisite experience requirement within 24 months;

(5) courses

taken in satisfying the qualifying education requirements shall not be repetitive in nature; each course credited toward the required number of qualifying education hours shall represent a progression in which the appraiser's knowledge is increased;

~~**(6)**~~

~~[demonstrate to the board that he/she is honest, trustworthy and competent;~~

~~**(7)**~~ **(6)**

successfully complete a written examination on the New Mexico Real Estate Appraisers Act, administered by the board;

~~**(8)**~~ **(7)** pay the fee set out in 16.62.12.8 NMAC;

~~**(9)**~~ **(8)** meet the minimum criteria for state licensure issued by the appraisers qualifications board of the appraisal foundation;

~~**(10)**~~ **(9)**

submit a duly made application to the board office;

E. Appraisers

holding a valid trainee appraiser credential may satisfy the educational requirements of 75 board-approved hours for the licensed residential real property appraiser credential by completing the following additional educational hours:

(1) residential market analysis and highest and best use 15 hours

(2) residential appraiser site valuation and cost approach 15 hours

(3) residential sales comparison and income approaches 30 hours

(4) residential report writing and case studies 15 hours

F. Appraisers holding

a valid licensed residential or general certified appraiser credential satisfy the educational requirements for the licensed residential appraiser credential.

G. Experience:

(1) Except

as provided by Paragraph (2) of Subsection G of this rule, [Applicants] applicants for state licensed residential must have a minimum of 1,000 hours of experience obtained in no fewer than six months in real property appraisal as defined in 16.62.1 NMAC, submitted on a form prescribed by the board and attested to by the supervising appraisers under whose supervision the experience was obtained. Experience logs submitted from jurisdictions located outside of New Mexico will be accepted subject to the criteria provided in Subparagraph (d) of Paragraph (2) of Subsection I of 16.62.2.9 NMAC.

(2) As an

alternative method of obtaining all required experience credits necessary for licensure as a licensed residential appraiser, the board will accept experience obtained from an appraisal qualification board-approved provider through a practical applications of real estate appraisal (PAREA) program, for licensed residential appraisers. [10/1/1997; 16.62.3.8 NMAC - Rn & A, 16 NMAC 62.3.8, 9/13/2004; A, 11/25/06; A, 06/13/08; A, 08/21/10; A, 1/1/2015; A, 2/3/2019; A, 10/30/2021; A, 09/26/2023]

**REGULATION
AND LICENSING
DEPARTMENT
REAL ESTATE APPRAISERS
BOARD**

This is an amendment to 16.62.4 NMAC Sections 3 and 8 effective 9/26/2023

16.62.4.3 STATUTORY AUTHORITY: : [This part is promulgated pursuant to the real estate appraisers board, Sections- 61-30-7, 10, 11, 13 and 14 NMSA-1978 as amended.] These rules are promulgated pursuant to the Real Estate Appraisers Act, Section 61-30-

1 to Section 61-30-24, NMSA 1978. [10/1/1997; 16.62.4.3 NMAC - Rn, 16 NMAC 62.4.3, 9/13/2004; A, 09/26/2023]

16.62.4.8 RESIDENTIAL CERTIFICATION:

A holder of a residential certificate is eligible to prepare appraisals of all residential real estate for federally related transactions or other uses. He/she may appraise nonresidential real estate provided such appraisals are not described or referred to as meeting the requirements of FIRREA. The holder of a residential certificate may not assume or use any title, designation or abbreviation likely to create the impression of general certification.

A. The certified residential real estate appraiser classification qualifies the appraiser to appraise one to four residential units without regard to value or complexity. The classification includes the appraisal of vacant or unimproved land that is utilized for one to four family purposes or for which the highest and best use is for one to four family purposes. The classification does not include the appraisal of subdivisions for which a development analysis/appraisal is necessary.

B. All certified residential real estate appraisers must comply with the competency rule of the national uniform standards of professional appraisal practice (USPAP).

C. Applicants for certification in residential appraisal in the state of New Mexico must:

~~[(1)]~~ be a legal resident of the United States;

(1) Criminal history background check: All applicants for initial issuance or reinstatement of a certificate and license in New Mexico shall be required to be fingerprinted to establish positive identification for a state and federal criminal history background check.

(a) The applicant will register online, through the approved department of public safety website, with the board's originating agency identification

(ORI) number and make payment with registration. After the process is complete, the applicant will receive a registration confirmation.

(b) Results will be sent to the board electronically. The board shall not issue a certificate or license until the applicant's background check has been successfully completed.

(c) Out-of-state applicants, who are unable to visit an approved live scan fingerprinting facility, may follow the same registration process and submit a hardcopy fingerprint card to the approved live scan fingerprinting facility. The results will be sent to the board electronically. The board shall not issue a certificate or license until the applicant's background check has been successfully completed.

(2) have reached the age of majority;
(3) prove successful completion of real estate appraisal education of at least 200 board-approved creditable class hours of qualifying education as outlined in the required core curriculum of the appraiser qualifications board (AQB); real estate appraisal education programs completed for credit toward this requirement shall include coverage of the following modules:

- (a)** basic appraisal principles 30 hours
- (b)** basic appraisal procedures 30 hours
- (c)** the 15 hour national USPAP course and examination 15 hours
- (d)** residential market analysis and highest and best use 15 hours
- (e)** residential appraiser site valuation and cost approach 15 hours
- (f)** residential sales comparison and income approaches 30 hours
- (g)** residential report writing and case

- studies 15 hours **(h)**
- statistics, modeling and finance 15 hours **(i)**
- advanced residential applications and case studies 15 hours **(j)**
- appraisal subject matter electives 20 hours **(4) complete**
- college-level education experience under one of the following scenarios: (Effective May 1, 2018, the appraiser qualifications board of the appraisal foundation adopted changes of the real property appraiser qualification criteria); **(a)**
- Option #1: hold a bachelor's degree or higher from an accredited college or university in any field of study; **(b)**
- Option #2: hold an Associate's Degree in a field of study related to: **(i)**
- Business Administration **(ii)**
- Accounting **(iii)**
- Finance **(iv)**
- Economics; or **(v)**
- Real Estate **(c)**
- Option #3; Successful completion of 30 semester hours of college-level courses in each of the following specific topic areas; **(i)**
- English Composition (three hours) **(ii)**
- Microeconomics (three hours) **(iii)**
- Macroeconomics (three hours) **(iv)**
- Finance (three hours) **(v)**
- Algebra, Geometry, or Higher Math (three hours) **(vi)**
- Statistics (three hours) **(vii)**
- Computer Science (three hours) **(viii)**
- Business Law or Real Estate Law

(three hours)

(ix) Two elective courses in any of the above topics, or in Accounting, Geography, Agricultural Economics, Business Management, or Real Estate (three) hours each).

(d) Option #4: Successful completion of at least 30 hours of College Level Examination Program® (CLEP)® examinations that cover each of the following specific topic areas:

Equivalency Table		
CLEP Exams	CLEP Semester Hours Granted	Applicable College Classes
College Algebra	3	Algebra, Geometry, Statistics, or higher mathematics
College Composition	6	English Composition
College Composition Modular	3	English Composition
College Mathematics	6	Algebra, Geometry, Statistics, or higher mathematics
Principles of Macroeconomics	3	Macroeconomics or Finance
Principles of Microeconomics	3	Microeconomics or Finance
Introductory Business Law	3	Business Law or Real Estate Law
Computer Science	3	Information Systems

(e) Option #5: any combination of Option #3 and Option #4 that includes all of the topics identified.

(f) Option #6: No college-level education required. This option only applies to appraisers who have held a Licensed Residential credential for a minimum of five years and have no record of any adverse, final, and non-appealable disciplinary action affecting the Licensed Residential appraiser's legal eligibility to engage in appraisal practice with five years immediately preceding the date of application for a Certified residential credential.

(5) pass examination: the appraiser qualifications board (AQB) approved certified real estate appraiser examination must be successfully completed; there is no alternative to successful completion of the examination; the requisite experience requirement must be met within 24 months, successful completion of the examination is valid for a period of 24 months;

(6) assure courses taken in satisfying the qualifying education requirements are not repetitive in nature; each course credited toward the required number of qualifying education hours shall represent a progression in which the appraiser's knowledge is increased;

~~(7) demonstrate to the board that he/she is honest, trustworthy and competent;~~

~~(8)~~ (7) successfully complete a written examination on the New Mexico Real Estate Appraisers Act, administered by the board;

~~(9)~~ (8) pay the fee set out in 16.62.12.8 NMAC;

~~(10)~~ (9) meet the minimum criteria for the state residential certificate classification issued by the Appraiser Qualifications Board (AQB) of the Appraisal Foundation;

~~(11)~~ (10) submit a duly made application to the board office.

D. Trainee and licensed appraisers wishing to change to the residential certified appraiser classification must also satisfy the college degree requirement.

E. Appraisers holding a valid general certified appraiser credential satisfy the educational requirements for the residential certified appraiser credential.

F. Appraisers holding a valid trainee appraiser credential may satisfy the educational requirements of 125 board-approved hours for the certified residential real property appraiser credential by completing the following additional educational hours:

- | | | |
|-----|--|----------|
| (1) | residential market analysis and highest and best use | 15 Hours |
| (2) | residential appraiser site valuation and cost approach | 15 Hours |
| (3) | residential sales comparison and income approaches | 30 Hours |
| (4) | residential report writing and case studies | 15 Hours |
| (5) | statistics, modeling and finance | 15 Hours |
| (6) | advanced residential applications and case studies | 15 Hours |
| (7) | appraisal subject matter electives | 20 Hours |

G. Appraisers holding a valid licensed residential real property appraiser credential may satisfy the educational requirements of 50 board-approved hours for the certified residential real property appraiser credential by completing the following additional educational hours:

- (1) statistics, modeling and finance 15 Hours
- (2) advanced residential applications and case studies 15 Hours
- (3) appraisal subject matter electives 20 Hours

H. Experience:
(1)

Except as provided by Paragraph (2) of Subsection H of this rule, [Applicants] applicants for state residential certification must have a minimum of 1,500 hours of experience in real property appraisal obtained during no fewer than twelve (12) months as defined in 16.62.1 NMAC, submitted on a form prescribed by the board and attested to by the supervising appraiser under whose supervision the experience was obtained. Experience logs submitted from jurisdictions located outside of New Mexico will be accepted subject to the criteria provided in Subparagraph (d) of Paragraph (2) of Subsection I of 16.62.2.9 NMAC.

(2) As an alternative method of obtaining all required experience credits necessary for licensure as a residential certified appraiser, the board will accept experience obtained from an appraisal qualification board-approved provider through a practical applications of real estate appraisal (PAREA) program, for residential certified appraisers. [10/1/1997; 16.62.4.8 NMAC - Rn & A, 16 NMAC 62.4.8, 9/13/2004; A, 11/25/2006; A, 6/13/2008; A, 8/21/2010; A, 1/1/2015; A, 2/3/2019; A, 10/30/2021; A, 09/26/2023]

**REGULATION
AND LICENSING
DEPARTMENT
REAL ESTATE APPRAISERS
BOARD**

This is an amendment to 16.62.5 NMAC Sections 3 and 8 effective 9/26/2023

16.62.5.3 STATUTORY AUTHORITY: : [This part is promulgated pursuant to the real estate appraisers board, Sections 61-30-7, 10, 11, 13 and 14 NMSA-1978 as amended.] These rules are promulgated pursuant to the Real Estate Appraisers Act, Section 61-30-1 to Section 61-30-24, NMSA 1978. [10/1/1997; 16.62.5.3 NMAC - Rn, 16 NMAC 62.5.3, 9/13/2004; A, 09/26/2023]

16.62.5.8 GENERAL CERTIFICATE: A holder of a general certificate may prepare appraisals on all real estate and may indicate that such appraisals are state certified.

A. All certified general real estate appraisers must comply with the competency rule of the national uniform standards of professional practice (USPAP).

B. Applicants for the general certificate in the state of New Mexico must:

~~[(1)]~~ [be a legal resident of the United States;]

(1) Criminal history background check: All applicants for initial issuance or reinstatement of a certificate and license in New Mexico shall be required to be fingerprinted to establish positive identification for a state and federal criminal history background check.

(a) The applicant will register online, through the approved department of public safety website, with the board's Originating Agency Identification (ORI) number and make payment with registration. After the process is complete, the applicant will receive a registration confirmation.

(b) Results will be sent to the board

electronically. The board shall not issue a certificate or license until the applicant's background check has been successfully completed.

~~(c)~~

Out-of-State applicants, who are unable to visit an approved live scan fingerprinting facility, may follow the same registration process and submit a hardcopy fingerprint card to the approved live scan fingerprinting facility. The results will be sent to the board electronically. The board shall not issue a certificate or license until the applicant's background check has been successfully completed.

(2) have reached the age of majority;
(3) submit a duly made application to the board office.

(4) hold a bachelor's degree or higher from an accredited college or university;

~~[(5)]~~ demonstrate to the board that he/she is honest, trustworthy and competent;

~~[(6)]~~ (5) successfully complete a written examination on the New Mexico Real Estate Appraisers Act, administered by the board;

~~[(7)]~~ (6) pay the fee set out in 16.62.12.8 NMAC;

~~[(8)]~~ (7) meet the minimum criteria for state general certification classification issued by the appraiser qualifications board (AQB) of the appraisal foundation; (Effective January 1, 2015, the appraiser qualifications board of the appraisal foundation adopted changes of the real property appraiser qualification criteria).

~~[(9)]~~ (8) successfully complete the appraisal qualifications board (AQB) approved general certified real estate appraiser examination; there is no alternative to successful completion of the examination; successful completion of the examination is valid for a period of 24 months; and

~~[(10)]~~ (9) successfully complete the real estate appraisal core curriculum educational requirements with a particular emphasis on non-residential properties.

C. Applicants
 shall successfully satisfy the core curriculum educational requirement of 300 board-approved courses by completing the following:

(1) basic appraisal principles 30 hours;

(2) Statistics, Modeling, and Finance 15 hours;

(3) basic appraisal procedures 30 hours;

(4) the 15 hour national USPAP course and examination 15 hours;

(5) general appraiser market analysis and highest and best use 30 hours;

(6) general appraiser sales comparison approach 30 hours;

(7) general appraiser site valuation and cost approach 30 hours;

(8) general appraiser income approach 60 hours;

(9) general appraiser report writing and case studies 30 hours;

(10) appraisal subject matter electives 30 hours.

D. Appraisers
 holding a valid trainee appraiser credential may satisfy the educational requirements of 225 board-approved hours for the certified general real property appraiser credential by completing the following additional educational hours:

(1) general appraiser market analysis and highest and best use 30 hours;

(2) statistics, modeling and finance 15 hours;

(3) general appraiser sales comparison approach 30 hours;

(4) general appraiser site valuation and cost approach 30 hours;

(5) general appraiser income approach 60 hours;

(6) general appraiser report writing and case studies 30 hours;

(7) appraisal subject matter electives 30 hours.

E. Appraisers holding a valid licensed residential real property appraiser credential may satisfy the educational requirements of 150 board-approved hours for the certified general real property appraiser credential by completing the following additional educational hours:

(1) general appraiser market analysis and highest and best use 15 hours;

(2) statistics, modeling and finance 15 hours;

(3) general appraiser sales comparison approach 15 hours;

(4) general appraiser site valuation and cost approach 15 hours;

(5) general appraiser income approach 45 hours;

(6) general appraiser report writing and case studies 15 hours;

(7) appraisal subject matter electives 30 hours.

F. Appraisers holding a valid certified residential real property appraiser credential may satisfy the educational requirements of 100 board-approved hours for the certified general real property appraiser credential by completing the following additional educational hours:

(1) general appraiser market analysis and highest and best use 15 hours;

(2) general appraiser sales comparison approach 15 hours;

(3) general appraiser site valuation and cost approach 15 hours;

(4) general appraiser income approach 45 hours;

(5) general appraiser report writing and case

studies 10 hours.

G. Experience:
(1)
Except as provided by Paragraph (2) of Subsection G of this rule, [Applicants] applicants for state general certification must have a minimum of 3,000 hours of experience in real property appraisal obtained during no fewer than 18 months, of which, 1,500 hours must be in non-residential appraisal work, submitted on a form prescribed by the board and attested to by the duly certified general supervising appraiser under whose supervision the experience was obtained. Experience logs submitted from jurisdictions located outside of New Mexico will be accepted subject to the criteria provided in Subparagraph (d) of Paragraph (2) of Subsection I of 16.62.2.9 NMAC.

(2) Experience
obtained from an appraisal qualification board approved provider through a Practical Applications of Real Estate Appraisal (PAREA) program may be accepted as an alternative method of obtaining a maximum of fifty percent of the required experience credits necessary for general certification. At least 1,500 hours of the 3,000 total hours required must be from non-residential appraisal work.
 [10/1/1997; 16.62.5.8 NMAC - Rn & A, 16 NMAC 62.5.8, 9/13/2004; A, 11/25/2006; A, 8/21/10; A, 1/1/2015; A, 2/3/2019; A, 10/30/2021; A, 09/26/2023]

REGULATION AND LICENSING DEPARTMENT REAL ESTATE APPRAISERS BOARD

This is an amendment to 16.62.6 NMAC Sections 3 and 8 effective 9/26/2023

16.62.6.3 STATUTORY AUTHORITY: [~~This part is promulgated pursuant to the real estate appraisers board, Sections- 61-30-7, 10, 11, 13 and 14 NMSA~~

~~1978 as amended.] These rules are promulgated pursuant to the Real Estate Appraisers Act, Section 61-30-1 to Section 61-30-24, NMSA 1978. [1/14/00; 16.62.6.3 NMAC - Rn, 16 NMAC 62.61.3, 09/13/2004; A, 09/26/2023]~~

16.62.6.8 EXAMINATION REQUIREMENTS: All candidates for licensure or certification must successfully complete the appraiser qualifications board endorsed uniform state certifications/licensing examination or its equivalent.

A. The examination will be approved by the appraisal qualifications board of the appraisal foundation and will cover standard appraisal concepts.

B. Prior to issuance of an examination ticket, all credible education hours, qualifying experience credit, and the experience log, must be verified and found to be completed in full and acceptable to the board.

~~[B:] C.~~ An applicant for licensing or certification will be denied and the results of the examination will be invalidated if: the applicant uses or possesses anything that gives the applicant an advantage other than silent, cordless, non-programmable calculator, Hewlett Packard calculator 12C or its equivalent; the applicant gives or receives any kind of aid during the examination; or someone other than the applicant takes the test or attempts to take the test for the applicant.

~~[C:] D.~~ All calculator memories must be cleared before the examination. Operating manuals will not be allowed at the testing site.

~~[D:] E.~~ The board will administer an examination on the New Mexico Real Estate Appraisers Act and board rules and regulations known as the state board jurisprudence examination which will require a score of seventy percent or more for a passing grade. This jurisprudence examination shall be taken during initial application for no charge, if this exam is failed then the exam can be taken a second time for a fee of \$95. If the second exam

is failed then the application will be deemed incomplete and then referred to the board, at their next meeting, for decision.

~~[E:] E.~~ The applicant must take the examination prescribed by the board.

[1/14/00; 16.62.6.8 NMAC - Rn & A, 16 NMAC 62.61.8, 09/13/2004; A, 06/13/2008; A, 08/21/2010; A, 01/15/2017; A, 02/03/2019; A, 09/26/2023]

**REGULATION
AND LICENSING
DEPARTMENT
REAL ESTATE APPRAISERS
BOARD**

This is an amendment to 16.62.7 NMAC Sections 3, 12 and 14 effective 9/26/2023

16.62.7.3 STATUTORY AUTHORITY: ~~[This part is promulgated pursuant to the real estate appraisers board, Sections 61-30-7, 10, 11, 13 and 14 NMSA 1978 as amended.] These rules are promulgated pursuant to the Real Estate Appraisers Act, Section 61-30-1 to Section 61-30-24, NMSA 1978. [10/1/97; 16.62.7.3 NMAC - Rn, 16 NMAC 62.7.3, 09/13/2004; A, 09/26/2023]~~

16.62.7.12 REQUIRED CONTINUING EDUCATION:

A. Twenty-eight hours as defined in 16.62.8.7 NMAC of continuing education in courses approved by the board, which must include the appraisal qualification board (AQB) approved seven-hour national uniform standards of professional appraisal practice (USPAP) update course, are required in each two-year renewal period. **B.** ~~[Each license holder is required to submit a list of continuing education courses with each renewal.]~~ For continuing education cycle periods of 185 days to 365 days, 14 hours of continuing education is required. For continuing education cycle periods of less than 185 days, no hours of continuing education are required.

C. Effective with the first biennial renewal period and each subsequent renewal, a seven hour class in the national uniform standards of professional appraisal practice update course is required as part of the continuing education requirement. Successful completion includes passing an exam, if required, by the appraiser qualifications board (AQB).

D. Successful completion jurisprudence examination will be required of every trainee, licensee and certificate holder as a condition of renewal in each biennial renewal.

~~[D:] E.~~ Educational offerings taken by an individual in order to fulfill the class hour requirement for a different classification than his/her current classification may be simultaneously counted towards the continuing education requirement of his/her current classification.

~~[E:] E.~~ Credit towards the continuing education hour requirements for each appraiser classification may be granted only where the length of the educational offering is at least two hours. [10/1/97; 16.62.7.12 NMAC - Rn & A, 16 NMAC 62.7.12, 09/13/2004; A, 11/25/2006; A, 08/21/2010; A, 01/16/2011; A, 01/15/2017; A, 02/03/2019; A, 09/26/2023]

16.62.7.14 REINSTATEMENT OF EXPIRED LICENSE:

An expired license may be reinstated within ~~[90]~~ 30 days after expiration upon:

A. submission of an application;

B. payment of the required biennial renewal fee;

C. proof of completion of all required continuing education hours that would have been required if the credential holder were in an active status. The required hours must also include the most recent edition of the seven-hour national USPAP update course (or its AQB-approved equivalent);

D. ~~[and]~~ payment of the administrative reinstatement fee ~~[.]~~ ^s

E. Criminal history background check: All applicants for initial issuance or reinstatement of a certificate and license in New Mexico shall be required to be fingerprinted to establish positive identification for a state and federal criminal history background check.

(1) The applicant will register online, through the approved department of public safety website, with the board's Originating Agency Identification (ORI) number and make payment with registration. After the process is complete, the applicant will receive a registration confirmation.

(2) Results will be sent to the board electronically. The board shall not issue a certificate or license until the applicant's background check has been successfully completed.

(3) Out-of-state applicants, who are unable to visit an approved live scan fingerprinting facility, may follow the same registration process and submit a hardcopy fingerprint card to the approved live scan fingerprinting facility. The results will be sent to the board electronically. The board shall not issue a certificate or license until the applicant's background check has been successfully completed.

E. The board may, in its discretion, treat the former trainee, license or certificate holder as a new applicant and further require that the applicant be reexamined as a condition to reissue a license or certificate.
[10/1/97; 16.62.7.14 NMAC - Rn & A, 16 NMAC 62.7.14, 09/13/2004; A, 01/01/2015; A, 01/15/2017; A, 09/26/2023]

**REGULATION
AND LICENSING
DEPARTMENT
REAL ESTATE APPRAISERS
BOARD**

This is an amendment to 16.62.8 NMAC Sections 3, 8, 9 and 14 effective 9/26/2023

16.62.8.3 STATUTORY AUTHORITY: [~~This part is promulgated pursuant to the real estate appraisers board, Sections 61-30-7, 10, 11, 13 and 14 NMSA-1978 as amended.~~] These rules are promulgated pursuant to the Real Estate Appraisers Act, Section 61-30-1 to Section 61-30-24, NMSA 1978. [3/14/00; 16.62.8.3 NMAC - Rn, 16 NMAC 62.8.3, 09/13/2004; A, 09/26/2023]

16.62.8.8 ACCEPTABLE COURSEWORK:

A. All coursework for original trainee registration, licensing and certification shall be given in 15-hour segments and have an examination administered at the end of the course.

B. Successful completion of the examination is a requirement to submit the course for original trainee registration, licensure or certification credit.

C. Courses taken in satisfying the qualifying education requirements shall not be repetitive in nature. Each course credited toward the required number of qualifying education hours shall represent a progression in which the appraiser's knowledge is increased.

[3/14/00; 16.62.8.8 NMAC - Rn, 16 NMAC 62.8.8, 09/13/2004; A, 11/25/06; A, 01/01/2015; A, 09/26/2023]

16.62.8.9 RELEVANCE OF COURSEWORK:

All coursework for original trainee, licensing or certification shall be in courses closely related to real estate appraisal. The board will not accept an applicant's completion of a course of a kind, which is designed to prepare students for examination, commonly known as a "cram course". All real estate appraisal coursework credited toward original trainee, shall have been completed no more than five years prior to the date of the application filed with the board. [~~Licensure or certification shall have been completed no more than 10 years prior to the date of the application filed with the board.~~]

[3/14/00; 16.62.8.9 NMAC - Rn & A, 16 NMAC 62.8.9, 09/13/2004; A, 11/25/06; A, 01/01/2015; A, 01/15/2017; A, 09/26/2023]

16.62.8.14 APPROVAL

OF SPONSORS: The board may approve individuals or organizations as course sponsors. Colleges and universities offering credit courses in real estate appraisal are also considered approved sponsors.

A. Requests for approval must be made on board approved forms and include [~~a data storage device (CD or USB) containing~~] an outline and a code of conduct for instructors.

B. The instructor selection and retention policy will include, at a minimum, the following requirements:

(1) instructors of qualifying education courses must be licensed by exam or certified at the same or a higher category than the level of classes they are engaged to teach.

(2) instructors engaged to teach the national uniform standards of professional appraisal practice (USPAP) course must qualify under the instructor evaluation policy for instructor selection for the national USPAP course developed by the appraisal foundation;

(3) instructors must teach only the appraisal foundation-approved national uniform standards of professional appraisal practice (USPAP) course;

(4) student critiques must be requested and maintained for each class given;

(5) a summary of the critiques and the pass rate of the class must be submitted to the board within 30 days after the course is completed;

(6) the sponsor shall provide a procedure for periodic monitoring of instructors in the classroom setting along with the sponsor application.

C. Approved sponsors shall comply with the following requirements to maintain approved status; the school must be conducted in accordance with these rules:

(1) to permit the board or its representative access to the school or classes being conducted and to make available to the board, upon request, all information pertaining to the activities of the school required for the administration of the rules and regulations, including its financial condition;

(2) to advertise the school at all times in a form and manner free from misrepresentation, deception or fraud;

(3) assure that all representations made by anyone authorized by the school to act as its agent or solicitor for prospective students are free from misrepresentation, deception or fraud;

(4) to maintain current, complete, and accurate student records and instructor critiques or summaries which shall be accessible at all times to the board or its authorized representative; these records shall include, in addition to other information, a record of payments made, a record of attendance, and a record of units of work completed;

(5) to conduct all courses in accordance with outlines submitted to and approved by the board;

(6) to only certify course completion for students who have successfully taken and passed the course; credit cannot be given for students who pass a course by challenging the course;

(7) sponsors will be subject to renewal of approval every three years or on a renewal period as determined by the AQB expiration date; the board assumes no responsibility for renewal courses not received from the sponsor for any reason; it is the sponsor's responsibility to make timely request(s) for the renewal of course(s) for board approval;

(8) sponsors must assure that all instructors:

(a) conduct all classes in accordance with board rules;

(b) ensure that all instruction is free from misrepresentation;

(c) instruct only from board-approved outlines;

(d) allow access to any class being instructed to any duly appointed representative of the board; and

(e) certify to his/her sponsor a true and correct record of students' attendance in his/her classes;

(9) failure to comply with this rule may result in the loss of approval of the sponsor; and

(10) the board reserves the right to disapprove an instructor.

D. Sponsors may also be approved for seminars, conferences and one-time courses. Approval is limited to the dates of the course and may not be renewed.
[3/14/00; 16.62.8.14 NMAC - Rn, 16 NMAC 62.8.14, 09/13/2004; A, 11/25/2006; A, 01/16/2011; A, 01/01/2015; A, 02/03/2019; A, 09/26/2023]

**REGULATION
AND LICENSING
DEPARTMENT
REAL ESTATE APPRAISERS
BOARD**

This is an amendment to 16.62.9 NMAC Sections 3 and 8 effective 9/26/2023

16.62.9.3 STATUTORY AUTHORITY: [~~This part is promulgated pursuant to the real estate appraisers board, Sections 61-30-7, 10, 11, 13 and 14 NMSA-1978 as amended.~~] These rules are promulgated pursuant to the Real Estate Appraisers Act, Section 61-30-1 to Section 61-30-24, NMSA 1978.
[3/15/00; 16.62.9.3 NMAC - Rn, 16 NMAC 62.9.3, 09/13/2004; A, 09/26/2023]

16.62.9.8 CERTIFICATE OF GOOD STANDING/FEE: The board shall issue a certificate of

good standing to any state trainee, licensed residential, or certified real estate appraiser who is currently or has been credentialed under the act by virtue of having met the following requirements.

A. The trainee, license, or certificate holder must pay the required fees in advance.

B. The applicant's appraiser trainee, license [or] and certificate must not be under suspension or revocation as a result of disciplinary action by the board, and the trainee, license and certificate holder must not be the subject of a pending notice of contemplated action issued by the board.

C. The certificate of good standing shall specify the current license status and license history of the applicant. Verification of license history and good standing may also be obtained from the national registry of real estate appraisers.

D. The applicant must submit a written or online request and pay a fee set by the board for issuance of the certificate of good standing.
[2/28/94; 3/15/00; 16.62.9.8 NMAC - Rn & A, 16 NMAC 62.9.8, 09/13/2004; A, 11/25/06; A, 01/01/2015; A, 02/03/2019; A, 09/26/2023]

**REGULATION
AND LICENSING
DEPARTMENT
REAL ESTATE APPRAISERS
BOARD**

This is an amendment to 16.62.10 NMAC Section 3 effective 9/26/2023

16.62.10.3 STATUTORY AUTHORITY: [~~This part is promulgated pursuant to the real estate appraisers board, Sections 61-30-7, 10, 11, 13 and 14 NMSA-1978 as amended.~~] These rules are promulgated pursuant to the Real Estate Appraisers Act, Section 61-30-1 to Section 61-30-24, NMSA 1978.
[3/15/00; 16.62.10.3 NMAC - Rn, 16 NMAC 62.10.3, 09/13/2004; A, 09/26/2023]

**REGULATION
AND LICENSING
DEPARTMENT
REAL ESTATE APPRAISERS
BOARD**

**This is an amendment to 16.62.11
NMAC Sections 3 and 8 effective
9/26/2023**

**16.62.11.3 STATUTORY
AUTHORITY:** [This part is
promulgated pursuant to the real
estate appraisers board, Sections
61-30-7, 10, 11, 13 and 14 NMSA
1978 as amended.] These rules are
promulgated pursuant to the Real
Estate Appraisers Act, Section 61-30-
1 to Section 61-30-24, NMSA 1978.
[16.62.11.3 NMAC - N, 09/13/2004;
A, 09/26/2023]

**16.62.11.8 APPLICATION
FOR RECIPROCITY:**

A. Applications for
New Mexico state licensed residential
appraiser, certified residential
appraiser, or certified general
appraisers must hold a current and
valid appraisers license or certificate
in another state at the time of
application for reciprocity.

B. Applicants for
reciprocity in the state of New
Mexico must:

(1) complete
an application for New Mexico
state licensed appraiser or certified
appraiser; [including the first page,
the personal history questionnaire,
three letters of verification, a two inch
by two inch photograph;]

(2) verification
of license history and good standing
as obtained from the national registry
of real estate appraisers;

(3) submit
copy of current license;

(4) pay the
appropriate fee by check or money
order or online payment;

(5) comply
with all the New Mexico board of real
estate appraisers statutes, rules and
regulations; and

(6) rely on
a credential from a home state that
complies with Title XI as determined
by the appraisal subcommittee;

(7) Criminal

history background check: All
applicants for initial issuance or
reinstatement of a certificate and
license in New Mexico shall be
required to be fingerprinted to
establish positive identification for
a state and federal criminal history
background check.

(a)

The applicant will register online,
through the approved department of
public safety website, with the board's
Originating Agency Identification
(ORI) number and make payment
with registration. After the process is
complete, the applicant will receive a
registration confirmation.

(b)

Results will be sent to the board
electronically. The board shall not
issue a certificate or license until the
applicant's background check has
been successfully completed.

(c)

Out-of-state applicants, who are
unable to visit an approved live scan
fingerprinting facility, may follow
the same registration process and
submit a hardcopy fingerprint card to
the approved live scan fingerprinting
facility. The results will be sent to the
board electronically. The board shall
not issue a certificate or license until
the applicant's background check has
been successfully completed.

C. A reciprocal license
shall expire on April 30 of the second
calendar year after issuance.

D. Renewal
requirements shall be in the
same manner and with the same
requirements as for the same
classification of certified or licensed
appraiser as stated in 16.62.7 NMAC
[16.62.11.8 NMAC - N, 09/13/2004;
A, 11/25/2006; A, 01/01/2015; A,
02/03/2019; A, 09/26/2023]

**REGULATION
AND LICENSING
DEPARTMENT
REAL ESTATE APPRAISERS
BOARD**

**This is an amendment to 16.62.12
NMAC Section 3 effective 9/26/2023**

**16.62.12.3 STATUTORY
AUTHORITY:** [This part is
promulgated pursuant to the real
estate appraisers board, Sections
61-30-7, 10, 11, 13 and 14 NMSA
1978 as amended.] These rules are
promulgated pursuant to the Real
Estate Appraisers Act, Section 61-30-
1 to Section 61-30-24, NMSA 1978.
[2/29/96; 16.62.12.3 NMAC - Rn,
16 NMAC 62.12.3, 09/13/2004; A,
09/26/2023]

**REGULATION
AND LICENSING
DEPARTMENT
REAL ESTATE APPRAISERS
BOARD**

**This is an amendment to 16.62.13
NMAC Section 3 effective 9/26/2023**

**16.62.13.3 STATUTORY
AUTHORITY:** [This part is
promulgated pursuant to the real
estate appraisers board, Sections
61-30-7, 10, 11, 13 and 14 NMSA
1978 as amended.] These rules are
promulgated pursuant to the Real
Estate Appraisers Act, Section 61-30-
1 to Section 61-30-24, NMSA 1978.
[10/1/1997; 16.62.13.3 NMAC - Rn,
16 NMAC 62.13.3, 9/13/2004; A,
09/26/2023]

**REGULATION
AND LICENSING
DEPARTMENT
REAL ESTATE APPRAISERS
BOARD**

**This is an amendment to 16.62.15
NMAC Sections 3, 10 and 12
effective 9/26/2023**

**16.62.15.3 STATUTORY
AUTHORITY:** [This part is
promulgated pursuant to the real
estate appraisers board, Sections
61-30-7, 10, 11, 13 and 14 NMSA
1978 as amended.] These rules are
promulgated pursuant to the Real
Estate Appraisers Act, Section 61-30-
1 to Section 61-30-24, NMSA 1978.
[3/15/00; 16.62.15.3 NMAC - Rn,

16 NMAC 62.15.3, 09/13/2004; A, 09/26/2023]

16.62.15.10 APPLICATION FOR REINSTATEMENT FROM RETIREMENT STATUS:

A. The application for the reinstatement of a license or certificate shall provide space for the applicant to provide the board the following information:

- (1) the license number of the former trainee, license or certificate;
- (2) the full name of the applicant;
- (3) the date of the original issue; and
- (4) the date of the applicant's retirement.

B. The application must be completed and returned to the board with a check or money order or online payment in an amount equivalent to all lapsed renewal fees. In addition, the applicant for reinstatement of trainee, license or certificate must offer proof sufficient to satisfy the board that he or she has taken in the calendar year immediately preceding the application for reinstatement, a minimum of 14 hours per year missed in refresher courses in addition to all required continuing education hours that would have been required if the credential holder was in an active status. Prior to reinstatement, the applicant must show proof that he or she is current with all continuing education hours required for each year in retirement status.

C. The application must be completed within two years from the date the active trainee, license or certificate expired. The application will be reviewed by the board at its next regularly scheduled meeting. If the board finds the application in order and is satisfied that the applicant for reinstatement has fulfilled the requirements as specified, the board shall issue the applicant a registration, license or certificate.

D. No appraiser who has retired shall reactivate his/her practice until a new trainee

registration, license or certificate is received. The appraiser shall not prepare an appraisal while in retirement status.

[3/15/00; 16.62.15.10 NMAC - Rn & A, 16 NMAC 62.15.10, 09/13/2004; A, 06/13/2008; A, 01/01/2015; A, 01/15/2017; A, 02/03/2019; A, 09/26/2023]

16.62.15.12 REINSTATEMENT FROM INACTIVE STATUS:

A. The inactive licensee may apply for reinstatement to active status within three years after trainee, license or certificate has been placed on inactive status. The applicant shall complete an application for reinstatement to include the following:

- (1) the license number of the former apprentice/trainee, license or certificate;
- (2) the full name of the applicant;
- (3) the date of the original issue;
- (4) the date of the applicant's inactive status.

B. The application must be completed and returned to the board with a check or money order or online payment for the required biennial renewal fee and administrative reinstatement fee. In addition, the applicant for reinstatement of trainee, license or certificate must provide satisfactory proof of completion of the continuing education requirements that would have been required had the credential always been active described in 16.62.8 NMAC.

C. The application will be reviewed by the board at its next regularly scheduled meeting. If the board finds the application is in order and is satisfied that the applicant for reinstatement has fulfilled the requirements as specified, the board shall issue the applicant a registration, license or certificate.

D. No appraiser who has an inactive status shall reactivate his/her practice until a new trainee registration, license or certificate is received.

E. No application for inactive status will be accepted if the appraiser is under investigation or facing disciplinary proceedings.

F. If the inactive licensee applies for reinstatement to active status more than three years after trainee, license or certificate has been placed on inactive status, the applicant shall:

(1) complete an application for reinstatement to include the following:

- (a) the license number of the former trainee, license or certificate;
- (b) the full name of the applicant;
- (c) the date of the original issue;
- (d) the date of the applicant's inactive status; and

(2) take and pass the state examination.

G. The application must be completed and returned to the board with a check or money order or online payment in an amount described in 16.62.12 NMAC. In addition, the applicant for reinstatement of traineeship, license or certificate must provide satisfactory proof of completion of the continuing education requirements described in 16.62.8 NMAC in addition to classroom hours:

(1) licensed and residential certified appraisers:

- (a) 15 hour national USPAP;
- (b) residential market analysis and highest and best use;

(c) residential appraiser site valuation and cost approach;

(d) residential sales comparison and income approaches;

(e) residential report writing and case studies.

(2) general certified appraisers:

- (a) 15 hour national USPAP;

(b) general appraiser market analysis and highest and best use;

(c) general appraiser site valuation and cost approach;

(d) general appraiser sales comparison and income approaches;

(e) general appraiser report writing and case studies;

(f) general appraiser income approach.

H. A licensee on inactive status shall not render or offer to render appraisal services or otherwise engage in the any appraisal practice until the board issues a new license.

[16.62.15.12 NMAC - N, 01/01/2015; A, 01/15/2017; A, 02/03/2019; A, 09/26/2023]

**REGULATION
AND LICENSING
DEPARTMENT
REAL ESTATE APPRAISERS
BOARD**

This is an amendment to 16.62.16 NMAC Section 3 effective 9/26/2023

16.62.16.3 STATUTORY AUTHORITY: [~~This part is promulgated pursuant to the real estate appraisers board, Sections 61-30-7, 10, 11, 13 and 14 NMSA 1978 as amended.~~] These rules are promulgated pursuant to the Real Estate Appraisers Act, Section 61-30-1 to Section 61-30-24, NMSA 1978. [3/15/00; 16.62.16.3 NMAC - Rn, 16 NMAC 62.16.3, 09/13/2004; A, 09/26/2023]

**REGULATION
AND LICENSING
DEPARTMENT
REAL ESTATE APPRAISERS
BOARD**

This is an amendment to 16.62.17 NMAC Section 3 effective 9/26/2023

16.62.17.3 STATUTORY AUTHORITY: [~~This part is promulgated pursuant to the real estate appraisers board, Sections 61-30-7, 10, 11, 13 and 14 NMSA 1978 as amended.~~] These rules are promulgated pursuant to the Real Estate Appraisers Act, Section 61-30-1 to Section 61-30-24, NMSA 1978. [3/15/00; 16.62.17.3 NMAC - Rn, 16 NMAC 62.17.3, 09/13/2004; A, 09/26/2023]

**REGULATION
AND LICENSING
DEPARTMENT
REAL ESTATE APPRAISERS
BOARD**

This is an amendment to 16.65.2 NMAC Sections 9, 10 and 11 effective 9/26/2023

16.65.2.9 OWNER REGISTRATION REQUIREMENTS:

A. An AMC applying for registration may not be owned by a person or have any principal of the company, who has had a license or certificate to practice as an appraiser refused, denied, canceled or revoked in this state or in any other state.

B. Each person that owns, is an officer of, or has a ten percent or more financial interest in an AMC shall:

(1) [execute] attest to an irrevocable consent to service of process [~~form;~~

~~(2) be of good moral character; and~~

~~(3) (2) submit to a [state background investigation.] criminal history background check:~~

All applicants for initial issuance or reinstatement of a certificate and license in New Mexico shall be required to be fingerprinted to establish positive identification for a state and federal criminal history background check.

(a) The applicant will register online, through the approved department of public safety website, with the board's Originating Agency Identification

(ORI) number and make payment with registration. After the process is complete, the applicant will receive a registration confirmation.

(b) Results will be sent to the board electronically. The board shall not issue a certificate or license until the applicant's background check has been successfully completed.

(c) Out-of-state applicants, who are unable to visit an approved live scan fingerprinting facility, may follow the same registration process and submit a hardcopy fingerprint card to the approved live scan fingerprinting facility. The results will be sent to the board electronically. The board shall not issue a certificate or license until the applicant's background check has been successfully completed.

[16.65.2.9 NMAC - N, 10/16/2009; A, 09/26/2023]

16.65.2.10 CONTROLLING PERSON (CP) REGISTRATION REQUIREMENTS:

In order to serve as a CP of an AMC, a designee shall:

~~[A. be of good moral character;~~

~~B:] A. submit to a [state background investigation;] criminal history background check: All applicants for initial issuance or reinstatement of a certificate and license in New Mexico shall be required to be fingerprinted to establish positive identification for a state and federal criminal history background check.~~

(1) The applicant will register online, through the approved department of public safety website, with the board's Originating Agency Identification (ORI) number and make payment with registration. After the process is complete, the applicant will receive a registration confirmation.

(2) Results will be sent to the board electronically. The board shall not issue a certificate or license until the applicant's background check has been successfully completed.

(3) Out-of-state applicants, who are unable to visit an approved live scan fingerprinting facility, may follow the same registration process and submit a hardcopy fingerprint card to the approved live scan fingerprinting facility. The results will be sent to the board electronically. The board shall not issue a certificate or license until the applicant's background check has been successfully completed.

[E.] B. not have had a license to practice as an appraiser refused, denied, canceled or revoked in this state or in any other state; and

[D.] C. ~~[submit]~~ attest to an irrevocable ~~[server of]~~ consent to service of process ~~[form]~~.
[16.65.2.10 NMAC - N, 10/16/2009; A, 09/26/2023]

16.65.2.11 EMPLOYEE IN CHARGE (EIC) REGISTRATION REQUIREMENTS: In order to serve as the EIC for a registered AMC, a designee shall:

A. not have had a license to practice as an appraiser refused, denied, canceled or revoked in this state or in any other state;

~~[B. be of good moral character;~~

~~[C.] B.~~ submit to ~~[a state background investigation; and]~~ criminal history background check: All applicants for initial issuance or reinstatement of a certificate and license in New Mexico shall be required to be fingerprinted to establish positive identification for a state and federal criminal history background check.

(1) The applicant will register online, through the approved department of public safety website, with the board's Originating Agency Identification (ORI) number and make payment with registration. After the process is complete, the applicant will receive a registration confirmation.

(2) Results will be sent to the board electronically. The board shall not issue a certificate or license until the applicant's background check has been successfully completed.

(3) Out-of-State applicants, who are unable to visit an approved live scan fingerprinting facility, may follow the same registration process and submit a hardcopy fingerprint card to the approved live scan fingerprinting facility. The results will be sent to the board electronically. The board shall not issue a certificate or license until the applicant's background check has been successfully completed.

[D.] C. shall be responsible for;

(1) the selecting of appraisers for the performance of real estate appraisal services which includes: ensuring that each appraiser is licensed and provides a combined reporting system (CRS) identification number;

(2) have the responsibility of reviewing completed appraisals as part of the board file:

(a) shall ensure clerical review is conducted on all appraisals completed within the renewal period;

(b) shall randomly select a statistically significant number, but not less than five percent, all fractions rounded up, of outsource appraisal reviews on appraisals completed within the renewal period;

(c) outsource appraisal reviews shall be completed by an appraiser that is certified or licensed in good standing within their state of licensure at a level that corresponds with or is higher than the level of licensure required to perform the appraisal.

(3) maintaining required documentation as part of the board file.

[E.] D. For initial registration of any Employee In Charge (EIC), proof that a 15 hour USPAP course was completed (no limitation on date completed) must be submitted along with the application for registration. For subsequent renewals of an existing registered EIC, an appraisal qualification board (AQB) seven hour National USPAP Update course must have been taken within the past two years.

The appraisal qualifications board (AQB) approved 15 hour national USPAP course and the seven hour national USPAP update course do not require prior approval by the board with proof that the course was taught by an AQB certified USPAP instructor who is also a residential or general certified appraiser; the course sponsor may certify in the form of a certificate provided to the student that the instructor meets AQB criteria; the instructor must be affiliated with a sponsor approved in at least one state of the United States.

[16.65.2.11 NMAC - N, 10/16/2009; A, 1/16/2011; A, 7/10/2011; A, 1/15/2017; A, 2/3/2019; A, 09/26/2023]

**REGULATION AND LICENSING DEPARTMENT
REAL ESTATE APPRAISERS BOARD**

This is an amendment to 16.65.3 NMAC Sections 8 and 9 effective 9/26/2023

16.65.3.8 APPLICATION FOR REGISTRATION: Incomplete application and fees will be returned to the applicant for supplementation of necessary documentation. All applicants must submit the following documentation to the board:

A. a completed application on a form prescribed by the board;

B. registration fee as provided in Part 5;

C. ~~[a notarized authorization for criminal background check for]~~ For each person that owns, is an officer of or has a ten percent or more financial interest in the AMC, the controlling person, and the employee in charge must [with the prescribed fee;] all submit to a criminal history background check: All applicants for initial issuance or reinstatement of a certificate and license in New Mexico shall be required to be fingerprinted to establish positive identification for a state and federal criminal history background check.

(1) The applicant will register online, through the approved department of public safety website, with the board's Originating Agency Identification (ORI) number and make payment with registration. After the process is complete, the applicant will receive a registration confirmation.

(2) Results will be sent to the board electronically. The board shall not issue a certificate or license until the applicant's background check has been successfully completed.

(3) Out-of-state applicants, who are unable to visit an approved live scan fingerprinting facility, may follow the same registration process and submit a hardcopy fingerprint card to the approved live scan fingerprinting facility. The results will be sent to the board electronically. The board shall not issue a certificate or license until the applicant's background check has been successfully completed.

~~D.~~ a notarized authorization for criminal background check for the CP with the prescribed fee;

~~E.~~ a notarized authorization for criminal background check for the EIC with the prescribed fee;

~~F.] D.~~ attestation to an irrevocable consent to service of process completed by the CP;

[G.] E. proof that the EIC has successfully completed an AQB approved 15 hour USPAP course.

[H.] E. documentation showing any and all discipline imposed on the applicant in any jurisdiction under any law governing or regulating appraisers or appraisal management companies.

[H] G. The board will register the AMC on the federal registry maintained by the ASC and pay the fee as collected during the application process.

[J.] H. Upon issuance an AMC license shall be valid for no fewer than 12 months. [16.65.3.8 NMAC - N, 10/16/2009; A, 1/16/2011; A, 1/15/2017; A, 10/30/2021; A, 09/26/2023]

16.65.3.9 EXPIRATION: All registrations shall expire on September 30 of each year. Applications for initial licensure are valid for one year from the date of receipt. [16.65.3.9 NMAC - N, 10/16/2009; A, 1/15/2017; A, 09/26/2023]

REGULATION AND LICENSING DEPARTMENT REAL ESTATE APPRAISERS BOARD

This is an amendment to 16.65.4 NMAC Section 9 effective 9/26/2023

16.65.4.9 HEARING PROCEDURES: hearings shall be conducted pursuant to the Uniform Licensing Act, NMSA 1978, Section 61-1-1 through -31. [Registrants shall bear all costs of disciplinary proceeding unless they prevail at the hearing.] [16.65.4.9 NMAC - N, 10/16/2009; A, 09/26/2023]

REGULATION AND LICENSING DEPARTMENT REAL ESTATE APPRAISERS BOARD

This is an amendment to 16.65.5 NMAC Section 8 effective 9/26/2023

16.65.5.8 FEES: All fees are non-refundable.

- A.** Initial application fee \$1000.
- B.** Renewal fee \$550.
- C.** Late renewal fee \$250.

~~D.~~ Criminal background fee fees as currently charged by department of public safety.]

D. Change of Management fee \$50.

E. Duplicate/replacement registration \$25.

- F.** Paper list of all registrants \$150.
- G.** Electronic list of all registrants \$125.
- H.** Administrative fee \$50.
- I.** Official verification of good standing \$25.
- J.** AMC federal registration fee as currently charged by the appraisal subcommittee for federal registry. [16.65.5.8 NMAC - N, 10/16/09; A, 01/15/2017; A, 09/26/2023]

SUPERINTENDENT OF INSURANCE, OFFICE OF

TITLE 13 INSURANCE CHAPTER 9 LIFE INSURANCE AND ANNUITIES PART 21 TERM AND UNIVERSAL LIFE INSURANCE RESERVE FINANCING

13.9.21.1 ISSUING AGENCY: Office of Superintendent of Insurance ("OSI"). [13.9.21.1 NMAC - N, 11/1/2023]

13.9.21.2 SCOPE: This regulation shall apply to reinsurance treaties that cede liabilities pertaining to covered policies, as that term is defined in Subsection B of 13.9.21.7 NMAC, issued by any life insurance company domiciled in this state. This regulation and the credit for reinsurance regulation, 13.2.8.1 *et seq* NMAC, shall both apply to such reinsurance treaties; provided, that in the event of a direct conflict between the provisions of this regulation and 13.2.8.1 *et seq* NMAC, the provisions of this regulation shall apply, but only to the extent of the conflict. Except expressly exempted, this rule will apply to all covered policies in effect as of or after the effective date of the rule. [13.9.21.2 NMAC - N, 11/1/2023]

13.9.21.3 STATUTORY AUTHORITY: Sections 59A-2-9 and 59A-12E-17 (2022) NMSA 1978. [13.9.21.3 NMAC - N, 11/1/2023]

13.9.21.4 DURATION:
Permanent.
[13.9.21.4 NMAC – N, 11/1/2023]

13.9.21.5 EFFECTIVE DATE: November 1, 2023 unless a later date is cited at the end of a section.
[13.9.21.5 NMAC – N, 11/1/2023]

13.9.21.6 OBJECTIVE:
The purpose of this rule is to conform with established, uniform, national standards governing reserve financing arrangements pertaining to life insurance policies containing guaranteed nonlevel gross premiums, guaranteed nonlevel benefits and universal life insurance policies with secondary guarantees; and to ensure that, with respect to each such financing arrangement, funds consisting of primary security and other security, as defined in Subsections F and G of 13.9.21.7 NMAC, are held by or on behalf of ceding insurers in the forms and amounts required herein. In general, reinsurance ceded for reserve financing purposes has one or more of the following characteristics: some or all of the assets used to secure the reinsurance treaty or to capitalize the reinsurer (1) are issued by the ceding insurer or its affiliates; or (2) are not unconditionally available to satisfy the general account obligations of the ceding insurer; or (3) create a reimbursement, indemnification or other similar obligation on the part of the ceding insurer or any of its affiliates (other than a payment obligation under a derivative contract acquired in the normal course and used to support and hedge liabilities pertaining to the actual risks in the policies ceded pursuant to the reinsurance treaty).
[13.9.21.6 NMAC – N, 11/1/2023]

13.9.21.7 DEFINITIONS:
A. “Actuarial method” means the methodology used to determine the required level of primary security, as described in 13.9.21.9 & 13.9.21.10 NMAC

B. “Covered policies” means the following: Subject to the

exemptions described in 13.9.21.13 NMAC, Covered policies are those policies, other than grandfathered policies, of the following policy types:

(1) Life insurance policies with guaranteed nonlevel gross premiums, guaranteed nonlevel benefits, or both, except for flexible premium universal life insurance policies; or,

(2) Flexible premium universal life insurance policies with provisions resulting in the ability of a policyholder to keep a policy in force over a secondary guarantee period.

C. “Grandfathered policies” means policies of the types described in Paragraphs (1) and (2) of Subsection B of 13.9.21.7 NMAC that were:

(1) issued prior to January 1, 2015; and

(2) ceded, as of December 31, 2014, as part of a reinsurance treaty that would not have met one of the exemptions set forth in 13.9.21.13 NMAC had that section then been in effect.

D. “Non-Covered policies” means any policy that does not meet the definition of covered policies, including grandfathered policies.

E. “Required level of primary security” means the dollar amount determined by applying the actuarial method to the risks ceded with respect to covered policies, but not more than the total reserve ceded.

F. “Primary security” means the following forms of security:

(1) cash;
(2) securities listed by the securities valuation office of the national association of insurance commissioners meeting the requirements of Paragraph (2) of Subsection B of Section 59A-12E-16, NMSA 1978, but excluding any synthetic letter of credit, contingent note, credit-linked note or other similar security that operates in a manner similar to a letter of credit, and excluding any securities issued by the ceding insurer or any of its affiliates; and

(3) For security held in connection with funds-withheld and modified coinsurance reinsurance treaties:

(a) commercial loans in good standing of CM3 quality and higher;

(b) policy Loans; and

(c) derivatives acquired in the normal course and used to support and hedge liabilities pertaining to the actual risks in the policies ceded pursuant to the reinsurance treaty.

G. “Other security” means any security acceptable to the superintendent other than security meeting the definition of primary security.

H. “Valuation manual” means the valuation manual adopted by the national association of insurance commissioners (“NAIC”), by the process specified in Paragraph (1) of Subsection F of Section 59A-8A-2 NMSA 1978 (2014), with all amendments adopted by the NAIC that are effective for the financial statement date on which credit for reinsurance is claimed. As of the effective date of this regulation, the current edition of the Valuation Manual is that effective as of January 1, 2023. Future editions of the Valuation Manual shall be adopted by means of the process described in 13.9.21.8 NMAC

I. “VM-20” means “Requirements for Principle-Based Reserves for Life Products,” including all relevant definitions, from the Valuation Manual.
[13.9.21.7 NMAC – N, 11/1/2023]

13.9.21.8 UPDATING THE VALUATION MANUAL: If the national association of insurance commissioners amends the Valuation Manual by the means described in Paragraph (1) of Subsection F of Section 59A-8A-2 NMSA 1978 (2014), the superintendent shall issue a bulletin, pursuant to 13.1.2.8 NMAC, stating that the Valuation Manual has been officially amended, stating the effective date of the amended Valuation Manual, and

providing a link to the amended manual.

[13.9.21.8 NMAC – N, 11/1/2023]

13.9.21.9 THE ACTUARIAL METHOD: The actuarial method to establish the required level of primary security for each reinsurance treaty subject to this regulation shall be VM-20, applied on a treaty-by-treaty basis, including all relevant definitions, from the Valuation Manual as then in effect, applied as follows:

A. For covered policies described in Paragraph (1) of Subsection B of 13.9.21.7 NMAC, the actuarial method is the greater of the deterministic reserve or the net premium reserve (NPR) regardless of whether the criteria for exemption testing can be met. However, if the covered policies do not meet the requirements of the stochastic reserve exclusion test in the Valuation Manual, then the actuarial method is the greatest of the deterministic reserve, the stochastic reserve, or the NPR. In addition, if such covered policies are reinsured in a reinsurance treaty that also contains covered policies described in Paragraph (2) of Subsection B of 13.9.21.7 NMAC, the ceding insurer may elect to instead use Subsection B of 13.9.21.9 NMAC as the actuarial method for the entire reinsurance agreement. Whether this subsection or Subsection B of 13.9.21.9 NMAC are used, the actuarial method must comply with any requirements or restrictions that the Valuation Manual imposes when aggregating these policy types for purposes of principle-based reserve calculations.

B. For covered policies described in Paragraph (2) of Subsection B of 13.9.21.7 NMAC, the actuarial method is the greatest of the deterministic reserve, the stochastic reserve, or the NPR regardless of whether the criteria for exemption testing can be met.

C. Except as provided in Subsection D of 13.9.21.9 NMAC, the actuarial method is to be applied on a gross basis to all risks with respect to the covered policies as

originally issued or assumed by the ceding insurer.

D. If the reinsurance treaty cedes less than one hundred percent of the risk with respect to the covered policies then the required level of primary security may be reduced as follows:

(1) If a reinsurance treaty cedes only a quota share of some or all of the risks pertaining to the covered policies, the required level of primary security, as well as any adjustment under Paragraph (3) of Subsection D of 13.9.21.9 NMAC, may be reduced to a pro rata portion in accordance with the percentage of the risk ceded;

(2) If the reinsurance treaty in a non-exempt arrangement cedes only the risks pertaining to a secondary guarantee, the required level of primary security may be reduced by an amount determined by applying the actuarial method on a gross basis to all risks, other than risks related to the secondary guarantee, pertaining to the covered policies, except that for covered policies for which the ceding insurer did not elect to apply the provisions of VM-20 to establish statutory reserves, the required level of primary security may be reduced by the statutory reserve retained by the ceding insurer on those covered policies, where the retained reserve of those covered policies should be reflective of any reduction pursuant to the cession of mortality risk on a yearly renewable term basis in an exempt arrangement;

(3) If a portion of the covered policy risk is ceded to another reinsurer on a yearly renewable term basis in an exempt arrangement, the required level of primary security may be reduced by the amount resulting by applying the actuarial method including the reinsurance section of VM-20 to the portion of the covered policy risks ceded in the exempt arrangement, except that for covered policies issued prior to Jan 1, 2017, this adjustment is not to exceed [cx/ (two* number of reinsurance premiums per year)] where cx is calculated using the same

mortality table used in calculating the net premium reserve; and

(4) For any other treaty ceding a portion of risk to a different reinsurer, including but not limited to stop loss, excess of loss and other non-proportional reinsurance treaties, there will be no reduction in the required level of primary security. It is possible for any combination of Paragraphs (1) through (4) of Subsection D of 13.9.21.9 NMAC to apply. Such adjustments to the required level of primary security will be done in the sequence that accurately reflects the portion of the risk ceded via the treaty. The ceding insurer should document the rationale and steps taken to accomplish the adjustments to the required level of primary security due to the cession of less than one hundred percent of the risk. The adjustments for other reinsurance will be made only with respect to reinsurance treaties entered into directly by the ceding insurer. The ceding insurer will make no adjustment as a result of a retrocession treaty entered into by the assuming insurers.

E. In no event will the required level of primary security resulting from application of the actuarial method exceed the amount of statutory reserves ceded.

F. If the ceding insurer cedes risks with respect to covered policies, including any riders, in more than one reinsurance treaty subject to this regulation, in no event will the aggregate required level of primary security for those reinsurance treaties be less than the required level of primary security calculated using the actuarial method as if all risks ceded in those treaties were ceded in a single treaty subject to this regulation;

G. If a reinsurance treaty subject to this regulation cedes risk on both covered and non-covered policies, credit for the ceded reserves shall be determined as follows:

(1) The actuarial method shall be used to determine the required level of primary security for the covered policies, and 13.9.21.11 NMAC shall be used to determine the reinsurance

credit for the covered policy reserves; and

(2) credit for the non-covered policy reserves shall be granted only to the extent that security, in addition to the security held to satisfy the requirements of Paragraph (1) of Subsection G of 13.9.21.9 NMAC, is held by or on behalf of the ceding insurer in accordance with Sections 59A-12E-3 through 16, NMSA 1978 (2022). Any primary security used to meet the requirements of this subparagraph may not be used to satisfy the required level of primary security for the covered policies.
[13.9.21.9 NMAC – N, 11/1/2023]

13.9.21.10 VALUATION USED FOR THE PURPOSES OF CALCULATIONS: For the purposes of both calculating the required level of primary security pursuant to the actuarial method, as described in 13.9.21.9 NMAC, and determining the amount of primary security and other security, as applicable, held by or on behalf of the ceding insurer, the following shall apply:

A. For assets, including any such assets held in trust, that would be admitted under the NAIC Accounting Practices and Procedures Manual if they were held by the ceding insurer, the valuations are to be determined according to statutory accounting procedures as if such assets were held in the ceding insurer’s general account and without taking into consideration the effect of any prescribed or permitted practices; and

B. for all other assets, the valuations are to be those that were assigned to the assets for the purpose of determining the amount of reserve credit taken. In addition, the asset spread tables and asset default cost tables required by VM-20 shall be included in the actuarial method if adopted by the NAIC’s Life Actuarial (A) Task Force no later than the Dec. 31st on or immediately preceding the valuation date for which the required level of primary security is being calculated. The tables of asset

spreads and asset default costs shall be incorporated into the actuarial method in the manner specified in VM-20.
[13.9.21.10 NMAC – N, 11/1/2023]

13.9.21.11 REQUIREMENTS APPLICABLE TO COVERED POLICIES TO OBTAIN CREDIT FOR REINSURANCE; OPPORTUNITY FOR REMEDIATION:

A. Requirements:
Subject to the exemptions described in 13.9.21.13 NMAC and the provisions of Subsection B of 13.9.21.11 NMAC, credit for reinsurance shall be allowed with respect to ceded liabilities pertaining to covered policies pursuant to Sections 59A-12E-3 through -15 NMSA 1978 or Section 59A-12E-16 NMSA 1978 if, and only if, in addition to all other requirements imposed by law or regulation, the following requirements are met on a treaty-by-treaty basis:

(1) The ceding insurer’s statutory policy reserves with respect to the covered policies must be established in full and in accordance with the applicable requirements of Sections 59A-8A-1 through -12 NMSA and related regulations and actuarial guidelines, and credit claimed for any reinsurance treaty subject to this regulation must not exceed the proportionate share of those reserves ceded under the contract.

(2) The ceding insurer must determine the required level of primary security with respect to each reinsurance treaty subject to this regulation and provide support for its calculation as determined to be acceptable to the superintendent.

(3) Funds consisting of primary security, in an amount at least equal to the required level of primary security, must be held by or on behalf of the ceding insurer, as security under the reinsurance treaty within the meaning of Section 59A-12E-16 NMSA 1978, on a funds withheld, trust, or modified coinsurance basis; and

(4) funds consisting of other security, in an amount at least equal to any portion of the statutory reserves as to which Primary Security is not held pursuant to Paragraph (3) above, must be held by or on behalf of the ceding insurer as security under the reinsurance treaty within the meaning of Section 59A-12E-16 NMSA..

(5) Any trust used to satisfy the requirements of this section shall comply with all of the conditions and qualifications of 13.2.8.19 NMAC through 13.2.8.23 NMAC, except that:

(a) funds consisting of primary security or other security held in trust, shall for the purposes identified in 13.9.21.10 NMAC, be valued according to the valuation rules set forth in that section, as applicable; and

(b) there are no affiliate investment limitations with respect to any security held in such trust if such security is not needed to satisfy the requirements of Paragraph (3) of Subsection A of 13.9.21.11 NMAC; and

(c) the reinsurance treaty must prohibit withdrawals or substitutions of trust assets that would leave the fair market value of the primary security within the trust (when aggregated with primary security outside the trust that is held by or on behalf of the ceding insurer in the manner required by Paragraph (3) of Subsection A of 13.9.21.11 NMAC below one hundred two percent of the level required by Paragraph (3) of Subsection A of 13.9.21.11 NMAC at the time of the withdrawal or substitution; and

(d) The determination of reserve credit under 13.2.8.22 NMAC shall be determined according to the valuation rules set forth in 13.9.21.10 NMAC, as applicable.

(6) The reinsurance treaty must be approved by the superintendent.

B. Requirements at inception date and on an on-going basis; Remediation:

(1) The requirements of Subsection A of 13.9.21.11 NMAC must be satisfied as of the date that risks under covered policies are ceded (if such date is on or after the effective date of this regulation) and on an ongoing basis thereafter. Under no circumstances shall a ceding insurer take or consent to any action or series of actions that would result in a deficiency under Paragraph (3) of Subsection A of 13.9.21.11 NMAC or Paragraph (4) of Subsection A of 13.9.21.11 NMAC with respect to any reinsurance treaty under which covered policies have been ceded, and in the event that a ceding insurer becomes aware at any time that such a deficiency exists, it shall use its best efforts to arrange for the deficiency to be eliminated as expeditiously as possible.

(2) Prior to the due date of each Quarterly or Annual Statement, each life insurance company that has ceded reinsurance within the scope of 13.9.21.2 NMAC shall perform an analysis, on a treaty-by-treaty basis, to determine, as to each reinsurance treaty under which covered policies have been ceded, whether as of the end of the immediately preceding calendar quarter (the valuation date) the requirements of Paragraph (3) of Subsection A of 13.9.21.11 NMAC and Paragraph (4) of Subsection A of 13.9.21.11 NMAC were satisfied. The ceding insurer shall establish a liability equal to the excess of the credit for reinsurance taken over the amount of primary security actually held pursuant to Paragraph (3) of Subsection A of 13.9.21.11 NMAC, unless either:

(a) The requirements of Paragraphs (3) and (4) of Subsection A of 3.9.21.11 NMAC were fully satisfied as of the valuation date as to such reinsurance treaty; or

(b) Any deficiency has been eliminated before the due date of the Quarterly or Annual Statement to which the valuation date relates through the addition of primary security, other security, or both as the case may be,

in such amount and in such form as would have caused the requirements of Paragraphs (3) and (4) of 13.9.21.11 NMAC to be fully satisfied as of the valuation date.

(3) Nothing in Paragraph (2) of Subsection B of 13.9.21.11 NMAC shall be construed to allow a ceding company to maintain any deficiency under Paragraphs (3) or (4) of 13.9.21.11 NMAC for any period of time longer than is reasonably necessary to eliminate it.
[13.9.21.11 NMAC – N, 11/1/2023]

13.9.21.12 PROHIBITION AGAINST AVOIDANCE: No insurer that has covered policies as to which this regulation applies (as set forth in 13.9.21.2 NMAC) shall take any action or series of actions, or enter into any transaction or arrangement or series of transactions or arrangements if the purpose of such action, transaction or arrangement or series thereof is to avoid the requirements of this regulation, or to circumvent its purpose and intent, as set forth in 13.9.21.6 NMAC.
[13.9.21.12 NMAC – N, 11/1/2023]

13.9.21.13 EXEMPTIONS: This rule does not apply to the situations described in this section:
A. Reinsurance of:
(1) policies that satisfy the criteria for exemption set forth in 13.9.13.20 NMAC or 13.9.13.21 NMAC and which are issued before the effective date of this regulation;

(2) portions of policies that satisfy the criteria for exemption set forth in 13.9.21.19 NMAC and which are issued before the effective date of this regulation;

(3) any universal life policy that meets all of the following requirements:

(a) secondary guarantee period, if any, is five years or less;

(b) specified premium for the secondary guarantee period is not less than the net level reserve premium for the secondary guarantee period based on

the Commissioners Standard Ordinary (CSO) valuation tables and valuation interest rate applicable to the issue year of the policy; and

(c) the initial surrender charge is not less than one hundred percent of the first year annualized specified premium for the secondary guarantee period.

(4) Credit life insurance;

(5) any variable life insurance policy that provides for life insurance, the amount or duration of which varies according to the investment experience of any separate account or accounts; or

(6) any group life insurance certificate unless the certificate provides for a stated or implied schedule of maximum gross premiums required in order to continue coverage in force for a period in excess of one year.

B. Reinsurance ceded to an assuming insurer that meets the applicable requirements of Paragraph (3) of Subsection D and Subsection E of Section 59A-12E-3, and Sections 59A-12E-4, and 59A-12E-6 NMSA 1978;

C. Reinsurance ceded to an assuming insurer that meets the applicable requirements of Paragraphs (1) and (2) of Subsection D of Section 59A-12E-3 NMSA 1978, or Section 59A-12E-5 NMSA 1978, and that, in addition:

(1) Prepares statutory financial statements in compliance with the NAIC Accounting Practices and Procedures Manual, without any departures from NAIC statutory accounting practices and procedures pertaining to the admissibility or valuation of assets or liabilities that increase the assuming insurer’s reported surplus and are material enough that they need to be disclosed in the financial statement of the assuming insurer pursuant to Statement of Statutory Accounting Principles No. 1 (“SSAP 1”); and

(2) is not in a company action level event, regulatory action level event, authorized control level event, or

mandatory control level event as those terms are defined in Sections 59A-5A-4, 59A-5A-5, 59A-5A-6, 59A-5A-7 NMSA 1978, respectively, when its RBC is calculated in accordance with the life risk-based capital report including overview and instructions for companies, as the same may be amended by the NAIC from time to time, without deviation; or

D. reinsurance ceded to an assuming insurer that meets the applicable requirements of Paragraphs (1) and (2) of Subsection D of Section 59A-12E-3 NMSA 1978, or 59A-12E-5 NMSA 1978, and that, in addition:

(1) Is not an affiliate, as that term is defined in Subsection B of Section 59A-37-2 NMSA 1978 of:

(a) The insurer ceding the business to the assuming insurer; or

(b) any insurer that directly or indirectly ceded the business to that ceding insurer.

(2) Prepares statutory financial statements in compliance with the NAIC Accounting Practices and Procedures Manual;

(3) is both:
(a) Licensed or accredited in at least 10 states (including its state of domicile), and

(b) not licensed in any state as a captive, special purpose vehicle, special purpose financial captive, special purpose life reinsurance company, limited purpose subsidiary, or any other similar licensing regime; and

(4) is not, or would not be, below five hundred percent of the authorized control level risk based capital as that term is defined in Subsection B of Section 59A-5A-2 NMSA 1978 when its risk-based capital (RBC) is calculated in accordance with the life risk-based capital report including overview and instructions for companies, as the same may be amended by the NAIC from time to time, without deviation, and without recognition of

any departures from NAIC statutory accounting practices and procedures pertaining to the admission or valuation of assets or liabilities that increase the assuming insurer’s reported surplus; or

E. reinsurance ceded to an assuming insurer that meets the requirements of Subsection F of Section 59A-12E-17 NMSA 1978; or

F. reinsurance not otherwise exempt under Subsection A through E of 13.9.21.13 NMAC if the superintendent, after consulting with the NAIC financial analysis working group (FAWG) or other group of regulators designated by the NAIC, as applicable, determines under all the facts and circumstances that all of the following apply:

(1) The risks are clearly outside of the intent and purpose of this regulation (as described in 13.9.21.6 NMAC);

(2) the risks are included within the scope of this regulation only as a technicality; and

(3) the application of this regulation to those risks is not necessary to provide appropriate protection to policyholders. The superintendent shall publicly disclose any decision made pursuant to this Subsection F of 13.9.21.13 NMAC to exempt a reinsurance treaty from this regulation, as well as the general basis therefor (including a summary description of the treaty).
[13.9.21.13 NMAC – N, 11/1/2023]

13.9.21.14 SEVERABILITY:
If any provision of this regulation is held invalid, the remainder shall not be affected.
[13.9.21.14 NMAC – N, 11/1/2023]

History of 13.9.21 NMAC:
[RESERVED]

TAXATION AND REVENUE DEPARTMENT

The New Mexico Taxation and Revenue Department approved, at its 08/30/2023 hearing, to repeal 3.2.104 NMAC - Exemption - Gross Receipts Tax - Certain Nonprofit Facilities, filed 04/30/2001, effective 09/26/2023.

The New Mexico Taxation and Revenue Department approved, at its 08/30/2023 hearing, to repeal 3.2.202 NMAC - Suspension of the Right to Use a Nontaxable Transaction Certificate, filed 05/17/2001, effective 09/26/2023.

The New Mexico Taxation and Revenue Department approved, at its 08/30/2023 hearing, to repeal 3.13.8 NMAC - Other Tax Credits, filed 12/12/2008, effective 09/26/2023.

End of Adopted Rules

Other Material Related to Administrative Law

**REGULATION
AND LICENSING
DEPARTMENT
REAL ESTATE APPRAISERS
BOARD****NOTICE OF MINOR,
NONSUBSTANTIVE
CORRECTION**

The Regulation and Licensing Department, Real Estate Appraisers Board gives Notice of a Minor, Nonsubstantive Correction to 16.62.3 NMAC.

Pursuant to the authority granted under State Rules Act, Subsection D of Section 14-4-3 NMSA 1978, please note that the following minor, non-substantive correction to spelling, grammar and format have been made to all electronic copies of the above rule:

Section 8: In Paragraph (1) of Subsection G a correction to the rule citation was made to read, "... Paragraph (2) of Subsection G of this rule..." to conform to proper rule citation style.

A copy of this Notification will be filed with the official version of each of the above rules.

**End of Other Material
Related to Administrative
Law**

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Submittal Deadlines and Publication Dates

Volume XXXIV, Issues 1-24

Issue	Submittal Deadline	Publication Date
Issue 1	January 5	January 18
Issue 2	January 19	January 31
Issue 3	February 2	February 14
Issue 4	February 16	February 28
Issue 5	March 2	March 14
Issue 6	March 16	March 28
Issue 7	March 30	April 11
Issue 8	April 13	April 25
Issue 9	May 4	May 16
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Issue 11	June 1	June 13
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Issue 18	September 14	September 26
Issue 19	September 28	October 10
Issue 20	October 12	October 24
Issue 21	October 26	November 7
Issue 22	November 9	November 21
Issue 23	November 22	December 5
Issue 24	December 7	December 19

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2024 New Mexico Register

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Volume XXXV, Issues 1-24

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