

REASON FOR EMERGENCY RULE PROCEEDURE

The Assessment Coordination Department finds that imminent peril to the public health, safety, or welfare requires adoption of the following eight rules upon less than thirty day's notice: Rules 4.21 through 4.28. County reappraisals are on going and it is essential for fairness and equity to taxpayers that such reappraisals are done uniformly across the state. Implementation of CAMA standards will help assure uniformity. In addition, statutory mandate requires that the standards be implemented by rule on or before July 1, 2005

RULE 4.21

AUTHORITY TO PROMULGATE RULES AND REGULATIONS FOR THE IMPLEMENTATION OF UNIFORM CAMA STANDARDS

STATUTORY AUTHORITY: ACT 1417 of 2005

By July 1, 2005 the Assessment Coordination Department shall adopt and implement by rules final specifications for computer assisted mass appraisal software.

The rules may provide a procedure by which the Assessment Coordination Department may directly compensate computer assisted mass appraisal software providers who are in compliance with requirements set forth in the final specifications for computer assisted mass appraisal software.

The Assessment Coordination Department shall require computer assisted mass appraisal software providers to comply with requirements set forth in the final specifications for computer assisted mass appraisal software.

Adopted by emergency procedure
and effective July 1, 2005.

SUMMARY

The Assessment Coordination Department is directed to adopt and implement final specifications (standards) for CAMA software by July 1, 2005 and promulgate rules for that purpose. The ACD shall require all CAMA providers to comply with those standards.

RULE 4.22

CAMA STANDARDS AND SYSTEM COMPLIANCE CERTIFICATION

The ACD will be responsible for providing uniform specifications (standards) for Computer Assisted Mass Appraisal (CAMA) software systems to be operated within the state of Arkansas. The ACD shall submit any proposed amendments to the CAMA Standards to all providers having certified CAMA systems operating within the state and allow a reasonable time for comment. The proposals shall then be considered by the CAMA Compliance and Certification Advisory Board. If the proposals are approved by the board and the ACD director they shall be incorporated into the standards. Every CAMA system must be tested annually to determine if the system is in compliance with the standards. Systems that are in compliance will be certified by the director of the ACD. Systems that are not certified will not be allowed to be used by any county or appraisal contractor within any county of the state for the purpose of property reappraisal. Use of a non-approved system will result in a finding by the ACD of noncompliance and reimbursement will cease.

Adopted by emergency procedure
and effective July 1, 2005.

SUMMARY

The ACD will provide uniform standards for CAMA systems operating in the state and those proposed to be operated within the state of Arkansas. Proposed standards will be submitted to existing CAMA providers and they will be given time to review and respond. Proposals which are approved by the board and the director will be made a part of the standards. CAMA systems will be tested at least annually. Systems that are found to be in compliance will be certified for use in the state and those found in noncompliance may not be used in this state. If non complying systems are used in the state the reappraisal fund reimbursements for anyone using the system will cease.

RULE 4.23

CREATION AND PURPOSE OF THE ARKANSAS CAMA COMPLIANCE AND CERTIFICATION ADVISORY BOARD

There is hereby created The Arkansas CAMA Compliance and Certification Advisory Board whose purpose it shall be to advise and assist the director of the ACD in the testing, certification, and compliance of the various CAMA systems being used or proposed to be used in the state of Arkansas by Assessors and companies contracting with counties to assess the real property in those counties. The board may make recommendations to the director of any changes or additions to the Standards it deems appropriate.

Adopted by emergency procedure
and effective July 1, 2005.

SUMMARY

There is created a CAMA advisory board to assist the director of the ACD in testing and certification of CAMA systems operating and those proposed to be operated in the state to assure compliance with the ACD CAMA standards. In addition the board shall make recommendations to the director of any changes that should be made in the standards.

RULE 4.24

APPOINTMENT AND TERMS OF SERVICE OF MEMBERS OF THE CAMA COMPLIANCE AND CERTIFICATION ADVISORY BOARD

The Arkansas CAMA Compliance and Certification Advisory Board shall be made up of persons known to have knowledge, experience, and expertise in the field of mass appraisal of real property in general and the operation and use of CAMA systems in particular.

Within thirty days following the adoption of this rule each CAMA system provider currently operating in the state shall submit to the director of the ACD three candidates, not affiliated in any way with their company, for membership to the board. The term "not affiliated " shall include owners and employees of the CAMA system provider. From each group of three, the director shall select and appoint one candidate to serve on the board for a two year term except that initially one half of the members shall receive a one year term, to be determined by draw. In addition the director shall appoint two ACD staff persons to serve on the board at the will of the director. The initial board shall be appointed as soon as practicable following the adoption of these rules and his/her replacement shall be appointed on the expiration of his/her term. However, each member shall continue to serve until his/her replacement has been appointed. The director may choose to reappoint any member for additional terms.

Adopted by emergency procedure
and effective July 1, 2005.

SUMMARY

Members of the board are to be qualified for membership by having knowledge, experience and expertise in the use of CAMA systems and in the field of mass appraisal. CAMA system providers will submit three names to the director who will select one of the three to serve on the board and the director will appoint two members from ACD staff, to serve at the will of the director. The terms of service of all other members will be two years staggered. Members shall serve until their replacement is named.

RULE: 4.25

ORGANIZATION AND MEETINGS OF THE BOARD

The initial meeting of the board shall be held as soon as practicable following the appointment of its initial members. Thereafter, the board will meet annually on the second Tuesday in September at the offices of the ACD but may meet at any other time or place upon call of the director of the ACD. The director will designate a chairperson and a secretary and the ACD will provide administrative services for the use of the board. The chairperson and the secretary may be from outside of the appointed board and may be from ACD staff. If the chairperson and/or the secretary are not members of the appointed board they shall have no vote. The chairperson and the secretary shall make up the executive committee, which may make administrative decisions only and in the absence of the membership. Any such administrative decisions shall be subject to approval or rejection by the membership at its next meeting. If no action of the membership is taken at said next meeting the action shall not be later challenged.

Adopted by emergency procedure
and effective July 1, 2005.

SUMMARY

The board will meet annually on the second Tuesday in September or upon call of the director. The ACD will provide administrative services and the director shall provide a chairperson and a secretary and said persons need not be members of the board but if not, they shall have no vote. The chairperson and the secretary may make administrative decisions in the absence of the board, subject to the approval or rejection of the board.

RULE 4.26

TESTING OF CAMA SYSTEMS

Beginning on or about the second Tuesday in September, in each year, at the offices of the ACD, the board will test all CAMA systems operating in the state and those proposed for operation within the state. The CAMA provider may request to be provided, in advance of the test, a list of issues to be tested. Upon good cause being shown, the board may request that a CAMA system be retested on a particular issue or issues. The board will vote on each exercise as to pass or fail and will advise the director of the decision and make recommendations as requested by the director. The test will be provided by the ACD. Each test will be conducted using actual data from a county or counties to be agreed upon in advance between the ACD and the CAMA provider. Prior to the administration of the test, the board will place each exercise into one of the following categories:

- a. Level No. 1- A minimum score of 100% is required for compliance;
- b. Level No. 2- A minimum score of 95% is required but the board may allow up to 30 additional days to comply;
- c. Level No. 3- A minimum score of 90% is required but the board may allow until the next annual test cycle to comply;

NOTE: When additional time is allowed, the compliance test will be conducted at a county location to be determined by the board at least a week in advance of the test.

Adopted by emergency procedure
and effective July 1, 2005.

SUMMARY

Annually, on or about the second Tuesday in September the board will test all CAMA systems in the state and those that are proposed to be used in the state. The CAMA providers may request in advance to know the list of issues that will be tested. The board will determine by majority vote whether the system passes or fails as to each issue. The board will inform the director and make recommendations to her concerning same. Prior to the test each issue will be placed in one of three categories. The test will use data from a county agreed upon in advance.

RULE 4.27

USE PROBLEMS

CAMA system users who experience problems with their system which persist after notification to the provider for a reasonable time, may contact the ACD or the board in writing, providing an example of the problem. A record will be kept and the board may determine that the urgency of a problem is such that a change to the test regimen may need to be made immediately and all CAMA systems will be retested on those issues within a reasonable time after the CAMA provider is notified.

Adopted by emergency procedure
and effective July 1, 2005.

RULE: 4.28

PENALTIES IN THE EVENT OF NONCOMPLIANCE

In the event the CAMA system fails to achieve a 100% score on any exercise classified as Level No.1, the director will notify the system provider that the system will not be certified and cannot be used in the state by any county or contractor for reappraisal purposes until the system achieves the required score.

Adopted by emergency procedure
and effective July 1, 2005

SUMMARY

If a system fails in a category requiring a 100% score the director will notify the provider that the system cannot be used in Arkansas until the required score has been attained.

