

AMENDMENTS TO LB139

Introduced by Banking, Commerce and Insurance.

1           1. Strike original sections 10, 21, 36, and 44 and insert the  
2 following new section:

3           Sec. 41. Section 76-2221, Revised Statutes Cumulative Supplement,  
4 2014, is amended to read:

5           76-2221 The Real Property Appraiser Act shall not apply to:

6           (1) Any real property appraiser who is a salaried employee of (a)  
7 the federal government, (b) any agency of the state government or a  
8 political subdivision which appraises real estate, (c) any insurance  
9 company authorized to do business in this state, or (d) any bank, savings  
10 bank, savings and loan association, building and loan association, credit  
11 union, or small loan company licensed by this ~~the~~ state or supervised or  
12 regulated by or through federal enactments covering financial  
13 institutions, except that any employee of the entities listed in  
14 subdivisions (a) through (d) of this subdivision who signs a ~~an appraisal~~  
15 report as a credentialed real property appraiser shall be subject to the  
16 act and the Uniform Standards of Professional Appraisal Practice. Any  
17 salaried employee of the entities listed in subdivisions (a) through (d)  
18 of this subdivision who does not sign a ~~an appraisal~~ report as a  
19 credentialed real property appraiser shall include the following  
20 disclosure prominently with such report: This opinion of value may not  
21 meet the minimum standards contained in the Uniform Standards of  
22 Professional Appraisal Practice and is not governed by the Real Property  
23 Appraiser Act;

24           (2) A person referred to in subsection (1) of section 81-885.16;

25           (3) Any person who provides assistance (a) in obtaining the data  
26 upon which an appraisal is based, (b) in the physical preparation of a ~~an~~  
27 ~~appraisal~~ report, such as taking photographs, preparing charts, maps, or

1 graphs, or typing or printing the report, or (c) that does not directly  
2 involve the exercise of judgment in arriving at the analyses, opinions,  
3 or conclusions concerning real estate or real property set forth in the  
4 ~~appraisal~~ report;

5 (4) Any owner of real estate, employee of the owner, or attorney  
6 licensed to practice law in this state ~~the State of Nebraska~~ representing  
7 the owner who renders an estimate or opinion of value of the real estate  
8 or any interest in the real estate when such estimate or opinion is for  
9 the purpose of real estate taxation, or any other person who renders such  
10 an estimate or opinion of value when that estimate or opinion requires a  
11 specialized knowledge that a real property appraiser would not have,  
12 except that a real property appraiser or a person licensed under the  
13 Nebraska Real Estate License Act is not exempt under this subdivision;

14 (5) Any owner of real estate, employee of the owner, or attorney  
15 licensed to practice law in this state ~~the State of Nebraska~~ representing  
16 the owner who renders an estimate or opinion of value of real estate or  
17 any interest in real estate or damages thereto when such estimate or  
18 opinion is offered as testimony in any condemnation proceeding, or any  
19 other person who renders such an estimate or opinion when that estimate  
20 or opinion requires a specialized knowledge that a real property  
21 appraiser would not have, except that a real property appraiser or a  
22 person licensed under the Nebraska Real Estate License Act is not exempt  
23 under this subdivision;

24 (6) Any owner of real estate, employee of the owner, or attorney  
25 licensed to practice law in this state ~~the State of Nebraska~~ representing  
26 the owner who renders an estimate or opinion of value of the real estate  
27 or any interest in the real estate when such estimate or opinion is  
28 offered in connection with a legal matter involving real property; or

29 (7) Any person appointed by a county board of equalization to act as  
30 a referee pursuant to section 77-1502.01, except that any person who also  
31 practices as an independent real property appraiser or real property

1 associate for others shall be subject to the Real Property Appraiser Act  
2 and shall be credentialed prior to engaging in such other appraising. Any  
3 real property appraiser appointed to act as a referee pursuant to section  
4 77-1502.01 and who prepares a ~~an appraisal~~ report for the county board of  
5 equalization shall not sign such ~~appraisal~~ report as a credentialed real  
6 property appraiser and shall include the following disclosure prominently  
7 with such report: This opinion of value may not meet the minimum  
8 standards contained in the Uniform Standards of Professional Appraisal  
9 Practice and is not governed by the Real Property Appraiser Act.

10 2. Renumber the remaining sections and correct internal references  
11 accordingly.