

LEGISLATURE OF NEBRASKA

ONE HUNDRED SECOND LEGISLATURE

SECOND SESSION

LEGISLATIVE BILL 714

Introduced by McCoy, 39; Langemeier, 23.

Read first time January 04, 2012

Committee: Banking, Commerce and Insurance

A BILL

1 FOR AN ACT relating to the Real Property Appraiser Act; to amend
2 sections 76-2202, 76-2213.01, 76-2228.01, 76-2229.01,
3 76-2230, 76-2231.01, 76-2232, 76-2236, 76-2241, and
4 76-2249, Revised Statutes Cumulative Supplement, 2010,
5 and section 76-2223, Revised Statutes Supplement, 2011;
6 to update references; to change provisions relating to
7 findings; to repeal the original sections; and to declare
8 an emergency.
9 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 76-2202, Revised Statutes Cumulative
2 Supplement, 2010, is amended to read:

3 76-2202 The Legislature finds that as a result of the
4 enactment of the Dodd-Frank Wall Street Reform and Consumer
5 Protection Act, as the act existed on January 1, 2012, and the
6 Financial Institutions Reform, Recovery, and Enforcement Act of 1989,
7 as the act existed on January 1, 2010,—2012, Nebraska's laws
8 providing for regulation of real property appraisers require
9 restructuring in order to comply with Title XI of the act. such acts.
10 Compliance with the ~~act—acts~~ is necessary to ensure an adequate
11 number of appraisers in Nebraska to conduct appraisals of real estate
12 involved in federally related transactions as defined in ~~the act.~~
13 such acts.

14 Sec. 2. Section 76-2213.01, Revised Statutes Cumulative
15 Supplement, 2010, is amended to read:

16 76-2213.01 Uniform Standards of Professional Appraisal
17 Practice means the standards promulgated by the Appraisal Foundation
18 as the standards existed on January 1, ~~2010.~~ 2012.

19 Sec. 3. Section 76-2223, Revised Statutes Supplement,
20 2011, is amended to read:

21 76-2223 (1) The Real Property Appraiser Board shall
22 administer and enforce the Real Property Appraiser Act and may:

23 (a) Receive applications for credentialing under the act,
24 process such applications and regulate the issuance of credentials to
25 qualified applicants, and maintain a directory of the names and

1 addresses of persons who receive credentials under the act;

2 (b) Hold meetings, public hearings, informal conferences,
3 and administrative hearings, prepare or cause to be prepared
4 specifications for all appraiser classifications, solicit bids and
5 enter into contracts with one or more testing services, and
6 administer or contract for the administration of examinations
7 approved by the Appraiser Qualifications Board in such places and at
8 such times as deemed appropriate;

9 (c) Develop the specifications for credentialing
10 examinations, including timing, location, and security necessary to
11 maintain the integrity of the examinations;

12 (d) Review the procedures and criteria of a contracted
13 testing service to ensure that the testing meets with the approval of
14 the Appraiser Qualifications Board;

15 (e) Collect all fees required or permitted by the act.
16 The Real Property Appraiser Board shall remit all such receipts to
17 the State Treasurer for credit to the Real Property Appraiser Fund.
18 In addition, the board may collect and transmit to the appropriate
19 federal authority any fees established under the Financial
20 Institutions Reform, Recovery, and Enforcement Act of 1989, as the
21 act existed on January 1, ~~2011~~; 2012;

22 (f) Establish appropriate administrative procedures for
23 disciplinary proceedings conducted pursuant to the Real Property
24 Appraiser Act;

25 (g) Issue subpoenas to compel the attendance of witnesses

1 and the production of books, documents, records, and other papers,
2 administer oaths, and take testimony and require submission of and
3 receive evidence concerning all matters within its jurisdiction. In
4 case of disobedience of a subpoena, the Real Property Appraiser Board
5 may make application to the district court of Lancaster County to
6 require the attendance and testimony of witnesses and the production
7 of documentary evidence. If any person fails to obey an order of the
8 court, he or she may be punished by the court as for contempt
9 thereof;

10 (h) Deny, censure, suspend, or revoke an application or
11 credential if it finds that the applicant or credential holder has
12 committed any of the acts or omissions set forth in section 76-2238
13 or otherwise violated the act. Any disciplinary matter may be
14 resolved through informal disposition pursuant to section 84-913;

15 (i) Take appropriate disciplinary action against a
16 credential holder if the Real Property Appraiser Board determines
17 that a credential holder has violated any provision of the act or the
18 Uniform Standards of Professional Appraisal Practice;

19 (j) Enter into consent decrees and issue cease and desist
20 orders upon a determination that a violation of the act has occurred;

21 (k) Promote research and conduct studies relating to the
22 profession of real property appraisal, sponsor real property
23 appraisal educational activities, and incur, collect fees for, and
24 pay the necessary expenses in connection with activities which shall
25 be open to all credential holders;

1 (1) Establish and adopt minimum standards for appraisals
2 as required under section 76-2237;

3 (m) Adopt and promulgate rules and regulations to carry
4 out the act. The rules and regulations may include provisions
5 establishing minimum standards for schools, courses, and instructors.
6 The rules and regulations shall be adopted pursuant to the
7 Administrative Procedure Act; and

8 (n) Do all other things necessary to carry out the Real
9 Property Appraiser Act.

10 (2) The Real Property Appraiser Board shall also
11 administer and enforce the Nebraska Appraisal Management Company
12 Registration Act.

13 Sec. 4. Section 76-2228.01, Revised Statutes Cumulative
14 Supplement, 2010, is amended to read:

15 76-2228.01 (1) To qualify for a credential as a trainee
16 real property appraiser, an applicant shall:

17 (a) Be at least nineteen years of age;

18 (b) Hold a high school diploma or a certificate of high
19 school equivalency or have education acceptable to the board;

20 (c) Have successfully completed no fewer than seventy-
21 five class hours in board-approved courses of study which relate to
22 appraisal and which include completion of the fifteen-hour National
23 Uniform Standards of Professional Appraisal Practice Course as
24 approved by the Appraiser Qualifications Board as of January 1, ~~2010,~~
25 2012, or the equivalent of the course as approved by the Real

1 Property Appraiser Board. The fifteen-hour course shall be taught by
2 a Uniform Standards of Professional Appraisal Practice Instructor who
3 is certified by the Appraiser Qualifications Board and who is a
4 state-certified appraiser in good standing. The courses of study
5 shall be conducted by an accredited, degree-awarding university,
6 college, or community college, an appraisal society, institute, or
7 association, a state or federal agency or commission, a proprietary
8 school, or such other educational provider as may be approved by the
9 Real Property Appraiser Board and shall be, at a minimum, fifteen
10 class hours in length. Each course shall include an examination
11 pertinent to the material presented. The applicant shall have
12 completed the class hours within the five-year period immediately
13 preceding submission of the application and shall have completed the
14 fifteen-hour National Uniform Standards of Professional Appraisal
15 Practice Course within the two-year period immediately preceding
16 submission of the application;

17 (d) Be subject to direct supervision by a supervising
18 appraiser or appraisers who are certified residential real property
19 appraisers or certified general real property appraisers in good
20 standing. The supervising appraiser shall be responsible for the
21 training and direct supervision of the trainee by accepting
22 responsibility for the appraisal report by signing and certifying the
23 report is in compliance with the Uniform Standards of Professional
24 Appraisal Practice, reviewing the trainee appraisal reports, and
25 personally inspecting each appraised property with the trainee as is

1 consistent with his or her scope of practice until the supervising
2 appraiser determines the trainee is competent in accordance with the
3 competency rule of the Uniform Standards of Professional Appraisal
4 Practice. The trainee shall maintain an appraisal log for each
5 supervising appraiser in accordance with standards set by rule and
6 regulation of the board; and

7 (e) Not have been convicted of any felony or, if so
8 convicted, have had his or her civil rights restored.

9 (2) To qualify for an upgraded credential, a trainee real
10 property appraiser shall satisfy at least one of the appropriate
11 requirements as follows:

12 (a) For a credential as a licensed residential real
13 property appraiser, he or she shall (i) complete seventy-five
14 additional hours of designated core curriculum education and (ii)
15 meet the experience requirements pursuant to subdivision (1)(d) of
16 section 76-2230;

17 (b) For a credential as a certified residential real
18 property appraiser, he or she shall (i) complete one hundred twenty-
19 five additional hours of designated core curriculum education, (ii)
20 meet the experience requirements pursuant to subdivision (1)(d) of
21 section 76-2231.01, and (iii) meet the postsecondary educational
22 requirements pursuant to subdivision (1)(b)(i) or (ii) of section
23 76-2231.01; or

24 (c) For a credential as a certified general real property
25 appraiser, he or she shall (i) complete two hundred twenty-five

1 additional hours of designated core curriculum education, (ii) meet
2 the experience requirements pursuant to subdivision (1)(d) of section
3 76-2232, and (iii) meet the postsecondary educational requirements
4 pursuant to subdivision (1)(b)(i) or (ii) of section 76-2232.

5 (3) If a trainee real property appraiser remains in the
6 classification in excess of two years, the trainee shall be required
7 in the third and successive years to successfully complete no fewer
8 than fourteen hours of instruction in courses or seminars for each
9 year of the period preceding the renewal and shall have completed the
10 seven-hour National Uniform Standards of Professional Appraisal
11 Practice Update Course, as the course existed on January 1, ~~2010,~~
12 2012, or the equivalent of the course as approved by the Real
13 Property Appraiser Board, at a minimum of every two years. The
14 courses of study shall be conducted by an accredited, degree-awarding
15 university, college, or community college, an appraisal society,
16 institute, or association, a state or federal agency or commission, a
17 proprietary school, or such other educational provider as may be
18 approved by the board. Credit may be granted for educational
19 offerings and for participation other than as a student as approved
20 by the board.

21 (4) The application for a credential as a trainee real
22 property appraiser shall include the applicant's social security
23 number and such other information as the board may require.

24 Sec. 5. Section 76-2229.01, Revised Statutes Cumulative
25 Supplement, 2010, is amended to read:

1 76-2229.01 (1) To qualify for a credential as a
2 registered real property appraiser, an applicant shall:

3 (a) Be at least nineteen years of age;

4 (b) Hold a high school diploma or a certificate of high
5 school equivalency or have education acceptable to the board;

6 (c) Have successfully completed no fewer than ninety
7 class hours in board-approved courses of study which relate to
8 appraisal and which include the fifteen-hour National Uniform
9 Standards of Professional Appraisal Practice Course as approved by
10 the Appraiser Qualifications Board as of January 1, ~~2010,~~2012, or
11 the equivalent of the course as approved by the Real Property
12 Appraiser Board. The courses of study shall be conducted by an
13 accredited, degree-awarding university, college, or community
14 college, an appraisal society, institute, or association, or such
15 other educational provider as may be approved by the Real Property
16 Appraiser Board and shall be, at a minimum, fifteen class hours in
17 length. Each course of study shall include an examination pertinent
18 to the material presented;

19 (d) Within the twelve months following approval of the
20 applicant by the Real Property Appraiser Board, pass an examination
21 approved by the Appraiser Qualifications Board as of January 1, ~~2010,~~
22 2012, and administered by a contracted testing service which
23 demonstrates that the applicant has:

24 (i) Knowledge of technical terms commonly used in or
25 related to appraisal and the writing of appraisal reports;

1 (ii) Knowledge of depreciation theories, cost estimating,
2 methods of capitalization, market data analysis, appraisal
3 mathematics, and economic concepts applicable to real estate;

4 (iii) An understanding of the basic principles of land
5 economics, appraisal processes, and problems encountered in the
6 gathering, interpreting, and processing of data involved in the
7 valuation of real property;

8 (iv) Knowledge of the appraisal of various types of and
9 interests in real property for various functions and purposes;

10 (v) An understanding of basic real estate law;

11 (vi) An understanding of the types of misconduct for
12 which disciplinary proceedings may be initiated;

13 (vii) An understanding of the Uniform Standards of
14 Professional Appraisal Practice;

15 (viii) An understanding of the recognized methods and
16 techniques necessary for the development and communication of a
17 credible appraisal; and

18 (ix) Knowledge of such other principles and procedures as
19 may be appropriate to produce a credible appraisal; and

20 (e) Not have been convicted of any felony or, if so
21 convicted, have had his or her civil rights restored.

22 (2) To qualify for an upgraded credential, a registered
23 real property appraiser shall satisfy at least one of the appropriate
24 requirements as follows:

25 (a) For a credential as a licensed residential real

1 property appraiser, he or she shall (i) complete sixty additional
2 hours of designated core curriculum education and (ii) meet the
3 experience requirements pursuant to subdivision (1)(d) of section
4 76-2230;

5 (b) For a credential as a certified residential real
6 property appraiser, he or she shall (i) complete one hundred ten
7 additional hours of designated core curriculum education, (ii) meet
8 the experience requirements pursuant to subdivision (1)(d) of section
9 76-2231.01, and (iii) meet the postsecondary educational requirements
10 pursuant to subdivision (1)(b)(i) or (ii) of section 76-2231.01; or

11 (c) For a credential as a certified general real property
12 appraiser, he or she shall (i) complete two hundred twenty-five
13 additional hours of designated core curriculum education, (ii) meet
14 the experience requirements pursuant to subdivision (1)(d) of section
15 76-2232, and (iii) meet the postsecondary educational requirements
16 pursuant to subdivision (1)(b)(i) or (ii) of section 76-2232.

17 (3) The application for registration shall include the
18 applicant's social security number and such other information as the
19 Real Property Appraiser Board may require.

20 (4) The scope of practice of a registered real property
21 appraiser shall be limited to the appraisal of noncomplex property
22 having one, two, three, or four residential units having a
23 transaction value of less than two hundred fifty thousand dollars.

24 (5) An applicant shall receive no more than three
25 successive annual renewals for credentialing as a registered real

1 property appraiser. Notwithstanding any other provision of section
2 76-2228 to the contrary, the board shall not approve any initial
3 application for credentialing as a registered real property appraiser
4 on and after January 1, 2012.

5 Sec. 6. Section 76-2230, Revised Statutes Cumulative
6 Supplement, 2010, is amended to read:

7 76-2230 (1) To qualify for a credential as a licensed
8 residential real property appraiser, an applicant shall:

9 (a) Be at least nineteen years of age;

10 (b) Hold a high school diploma or a certificate of high
11 school equivalency or have education acceptable to the board;

12 (c) Have successfully completed no fewer than one hundred
13 fifty class hours, which may include the class hours set forth in
14 section 76-2229.01, in board-approved courses of study which relate
15 to appraisal and which include completion of the fifteen-hour
16 National Uniform Standards of Professional Appraisal Practice Course
17 as approved by the Appraiser Qualifications Board as of January 1,
18 ~~2010,~~2012, or the equivalent of the course as approved by the Real
19 Property Appraiser Board. The fifteen-hour course shall be taught by
20 a Uniform Standards of Professional Appraisal Practice Instructor who
21 is certified by the Appraiser Qualifications Board and who is a
22 state-certified appraiser in good standing. The courses of study
23 shall be conducted by an accredited, degree-awarding university,
24 college, or community college, an appraisal society, institute, or
25 association, a state or federal agency or commission, a proprietary

1 school, or such other educational provider as may be approved by the
2 Real Property Appraiser Board and shall be, at a minimum, fifteen
3 class hours in length. Each course shall include a closed-book
4 examination pertinent to the material presented;

5 (d) Have no fewer than two thousand hours of experience
6 in any combination of the following: Fee and staff appraisal; ad
7 valorem tax appraisal; condemnation appraisal; technical review
8 appraisal; appraisal analysis; real estate consulting; highest-and-
9 best-use analysis; and feasibility analysis or study. The required
10 experience shall not be limited to the listed items but shall be
11 acceptable to the board and subject to review and determination as to
12 conformity with the Uniform Standards of Professional Appraisal
13 Practice. The experience shall have occurred during a period of no
14 fewer than twelve months. If requested, evidence acceptable to the
15 board concerning the experience shall be presented by the applicant
16 in the form of written reports or file memoranda;

17 (e) Within the twelve months following approval of the
18 applicant by the board, pass an examination approved by the Appraiser
19 Qualifications Board as of January 1, ~~2010~~, 2012, and administered by
20 a contracted testing service which demonstrates that the applicant
21 has:

22 (i) Knowledge of technical terms commonly used in or
23 related to appraisal and the writing of appraisal reports;

24 (ii) Knowledge of depreciation theories, cost estimating,
25 methods of capitalization, market data analysis, appraisal

1 mathematics, and economic concepts applicable to real estate;

2 (iii) An understanding of the principles of land
3 economics, appraisal processes, and problems encountered in the
4 gathering, interpreting, and processing of data involved in the
5 valuation of real property;

6 (iv) Knowledge of the appraisal of various types of and
7 interests in real property for various functions and purposes;

8 (v) An understanding of basic real estate law;

9 (vi) An understanding of the types of misconduct for
10 which disciplinary proceedings may be initiated;

11 (vii) An understanding of the Uniform Standards of
12 Professional Appraisal Practice;

13 (viii) An understanding of the recognized methods and
14 techniques necessary for the development and communication of a
15 credible appraisal; and

16 (ix) Knowledge of such other principles and procedures as
17 may be appropriate to produce a credible appraisal; and

18 (f) Not have been convicted of any felony or, if so
19 convicted, have had his or her civil rights restored.

20 (2) To qualify for an upgraded credential, a licensed
21 residential real property appraiser shall satisfy at least one of the
22 appropriate requirements as follows:

23 (a) For a credential as a certified residential real
24 property appraiser, he or she shall (i) complete fifty additional
25 hours of designated core curriculum education, (ii) meet the

1 experience requirements pursuant to subdivision (1)(d) of section
2 76-2231.01, and (iii) meet the postsecondary educational requirements
3 pursuant to subdivision (1)(b)(i) or (ii) of section 76-2231.01; or

4 (b) For a credential as a certified general real property
5 appraiser, he or she shall (i) complete one hundred fifty additional
6 hours of designated core curriculum education, (ii) meet the
7 experience requirements pursuant to subdivision (1)(d) of section
8 76-2232, and (iii) meet the postsecondary educational requirements
9 pursuant to subdivision (1)(b)(i) or (ii) of section 76-2232.

10 (3) The scope of practice for a licensed residential real
11 property appraiser shall be limited to the appraisal of noncomplex
12 property having one, two, three, or four residential units with a
13 transaction value of less than one million dollars and complex
14 property having one, two, three, or four residential units with a
15 transaction value of less than two hundred fifty thousand dollars.

16 (4) If an applicant is applying for renewal of a
17 credential as a licensed residential real property appraiser, the
18 applicant shall have successfully completed no fewer than fourteen
19 hours of instruction in courses or seminars for each year of the two-
20 year continuing education period during which the application is
21 submitted and shall have completed the seven-hour National Uniform
22 Standards of Professional Appraisal Practice Update Course as
23 approved by the Appraiser Qualifications Board as of January 1, ~~2010~~,
24 2012, or the equivalent of the course as approved by the Real
25 Property Appraiser Board, at a minimum of every two years. The seven-

1 hour course shall be taught by a Uniform Standards of Professional
2 Appraisal Practice Instructor who is certified by the Appraiser
3 Qualifications Board and who is a state-certified appraiser in good
4 standing. Credit toward a classroom hour requirement may be granted
5 only when the length of the educational offering is at least two
6 hours. The courses of study shall be conducted by an accredited,
7 degree-awarding university, college, or community college, an
8 appraisal society, institute, or association, a state or federal
9 agency or commission, a proprietary school, or such other educational
10 provider as may be approved by the Real Property Appraiser Board.
11 Credit may be granted for educational offerings and for participation
12 other than as a student as approved by the board.

13 (5) The application for the credential as a licensed
14 residential real property appraiser shall include the applicant's
15 social security number and such other information as the board may
16 require.

17 Sec. 7. Section 76-2231.01, Revised Statutes Cumulative
18 Supplement, 2010, is amended to read:

19 76-2231.01 (1) To qualify for a credential as a certified
20 residential real property appraiser, an applicant shall:

21 (a) Be at least nineteen years of age;

22 (b)(i) Hold an associate degree, or higher, from an
23 accredited, degree-awarding university, college, or community
24 college; or

25 (ii) Have successfully completed, as verified by the

1 board, twenty-one semester hours of coursework or its equivalent from
2 an accredited, degree-awarding university, college, or community
3 college that shall have included English composition; principles of
4 macroeconomics or microeconomics; finance; algebra, geometry, or
5 higher mathematics; statistics; introduction to computers, including
6 word processing and spread sheets; and business or real estate law;

7 (c) Have successfully completed no fewer than two hundred
8 class hours, which may include the class hours set forth in sections
9 76-2229.01 and 76-2230, in board-approved courses of study which
10 relate to appraisal and which include completion of the fifteen-hour
11 National Uniform Standards of Professional Appraisal Practice Course
12 as approved by the Appraiser Qualifications Board as of January 1,
13 ~~2010,~~2012, or the equivalent of the course as approved by the Real
14 Property Appraiser Board. The fifteen-hour course shall be taught by
15 a Uniform Standards of Professional Appraisal Practice Instructor who
16 is certified by the Appraiser Qualifications Board and who is a
17 state-certified appraiser in good standing. The courses of study
18 shall be conducted by an accredited, degree-awarding university,
19 college, or community college, an appraisal society, institute, or
20 association, a state or federal agency or commission, a proprietary
21 school, or such other educational provider as may be approved by the
22 Real Property Appraiser Board and shall be, at a minimum, fifteen
23 class hours in length. Each course shall include a closed-book
24 examination pertinent to the material presented;

25 (d) Have no fewer than two thousand five hundred hours of

1 experience in any combination of the following: Fee and staff
2 appraisal; ad valorem tax appraisal; condemnation appraisal;
3 technical review appraisal; appraisal analysis; real estate
4 consulting; highest-and-best-use analysis; and feasibility analysis
5 or study. The required experience shall not be limited to the listed
6 items but shall be acceptable to the board and subject to review and
7 determination as to conformity with the Uniform Standards of
8 Professional Appraisal Practice. The experience shall have occurred
9 during a period of no fewer than twenty-four months. If requested,
10 evidence acceptable to the board concerning the experience shall be
11 presented by the applicant in the form of written reports or file
12 memoranda;

13 (e) Within the twelve months following approval of the
14 applicant by the board, pass an examination approved by the Appraiser
15 Qualifications Board as of January 1, ~~2010~~, 2012, and administered by
16 a contracted testing service which demonstrates that the applicant
17 has:

18 (i) Knowledge of technical terms commonly used in or
19 related to appraisal and the writing of appraisal reports;

20 (ii) Knowledge of depreciation theories, cost estimating,
21 methods of capitalization, market data analysis, appraisal
22 mathematics, and economic concepts applicable to real estate;

23 (iii) An understanding of the principles of land
24 economics, appraisal processes, and problems encountered in the
25 gathering, interpreting, and processing of data involved in the

1 valuation of real property;

2 (iv) Knowledge of the appraisal of various types of and
3 interests in real property for various functions and purposes;

4 (v) An understanding of basic real estate law;

5 (vi) An understanding of the types of misconduct for
6 which disciplinary proceedings may be initiated;

7 (vii) An understanding of the Uniform Standards of
8 Professional Appraisal Practice;

9 (viii) An understanding of the recognized methods and
10 techniques necessary for the development and communication of a
11 credible appraisal; and

12 (ix) Knowledge of such other principles and procedures as
13 may be appropriate to produce a credible appraisal; and

14 (f) Not have been convicted of any felony or, if so
15 convicted, have had his or her civil rights restored.

16 (2) To qualify for an upgraded credential as a certified
17 general real property appraiser, a certified residential real
18 property appraiser shall satisfy the following requirements:

19 (a) Complete one hundred additional hours of designated
20 core curriculum education;

21 (b) Meet the experience requirements pursuant to
22 subdivision (1)(d) of section 76-2232; and

23 (c) Meet the postsecondary educational requirements
24 pursuant to subdivision (1)(b)(i) or (ii) of section 76-2232.

25 (3) The scope of practice of a certified residential real

1 property appraiser shall be limited to the appraisal of property
2 having one, two, three, or four residential units without regard to
3 transaction value or complexity.

4 (4) If an applicant is applying for renewal of a
5 credential as a certified residential real property appraiser, the
6 applicant shall have successfully completed no fewer than fourteen
7 hours of instruction in courses or seminars for each year of the two-
8 year continuing education period during which the application is
9 submitted and shall have completed the seven-hour National Uniform
10 Standards of Professional Appraisal Practice Update Course as
11 approved by the Appraiser Qualifications Board as of January 1, ~~2010,~~
12 2012, or the equivalent of the course as approved by the Real
13 Property Appraiser Board, at a minimum of every two years. The seven-
14 hour course shall be taught by a Uniform Standards of Professional
15 Appraisal Practice Instructor who is certified by the Appraiser
16 Qualifications Board and who is a state-certified appraiser in good
17 standing. Credit toward a classroom hour requirement may be granted
18 only if the length of the educational offering is at least two hours.
19 The courses of study shall be conducted by an accredited, degree-
20 awarding university, college, or community college, an appraisal
21 society, institute, or association, a state or federal agency or
22 commission, a proprietary school, or such other educational provider
23 as may be approved by the Real Property Appraiser Board. Credit may
24 be granted for educational offerings and for participation other than
25 as a student as approved by the board.

1 (5) The application for a credential as a certified
2 residential real property appraiser shall include the applicant's
3 social security number and such other information as the board may
4 require.

5 Sec. 8. Section 76-2232, Revised Statutes Cumulative
6 Supplement, 2010, is amended to read:

7 76-2232 (1) To qualify for a credential as a certified
8 general real property appraiser, an applicant shall:

9 (a) Be at least nineteen years of age;

10 (b)(i) Hold a bachelor's degree, or higher, from an
11 accredited, degree-awarding university or college; or

12 (ii) Have successfully completed, as verified by the
13 board, thirty semester hours of coursework or its equivalent from an
14 accredited, degree-awarding university or college that shall have
15 included English composition; macroeconomics; microeconomics;
16 finance; algebra, geometry, or higher mathematics; statistics;
17 introduction to computers, including word processing and spread
18 sheets; business or real estate law; and two elective courses in
19 accounting, geography, agricultural economics, business management,
20 or real estate;

21 (c) Have successfully completed no fewer than three
22 hundred class hours, which may include the class hours set forth in
23 sections 76-2229.01, 76-2230, and 76-2231.01, in board-approved
24 courses of study which relate to appraisal and which include
25 completion of the fifteen-hour National Uniform Standards of

1 Professional Appraisal Practice Course as approved by the Appraiser
2 Qualifications Board as of January 1, ~~2010~~, 2012, or the equivalent
3 of the course as approved by the Real Property Appraiser Board. The
4 fifteen-hour course shall be taught by a Uniform Standards of
5 Professional Appraisal Practice Instructor who is certified by the
6 Appraiser Qualifications Board and who is a state-certified appraiser
7 in good standing. The courses of study shall be conducted by an
8 accredited, degree-awarding university, college, or community
9 college, an appraisal society, institute, or association, a state or
10 federal agency or commission, a proprietary school, or such other
11 educational provider as may be approved by the Real Property
12 Appraiser Board and shall be, at a minimum, fifteen class hours in
13 length. Each course shall include a closed-book examination pertinent
14 to the material presented;

15 (d) Have no fewer than three thousand hours of experience
16 in any combination of the following: Fee and staff appraisal; ad
17 valorem tax appraisal; condemnation appraisal; technical review
18 appraisal; appraisal analysis; real estate consulting; highest-and-
19 best-use analysis; and feasibility analysis or study. The required
20 experience shall not be limited to the listed items but shall be
21 acceptable to the board and subject to review and determination as to
22 conformity with the Uniform Standards of Professional Appraisal
23 Practice. The experience shall have occurred during a period of no
24 fewer than thirty months. If requested, evidence acceptable to the
25 board concerning the experience shall be presented by the applicant

1 in the form of written reports or file memoranda;

2 (e) Within the twelve months following approval of the
3 applicant by the board, pass an examination approved by the Appraiser
4 Qualifications Board as of January 1, ~~2010~~, 2012, and administered by
5 a contracted testing service which demonstrates that the applicant
6 has:

7 (i) Knowledge of technical terms commonly used in or
8 related to appraisal and the writing of appraisal reports;

9 (ii) Knowledge of depreciation theories, cost estimating,
10 methods of capitalization, market data analysis, appraisal
11 mathematics, and economic concepts applicable to real estate;

12 (iii) An understanding of the principles of land
13 economics, appraisal processes, and problems encountered in the
14 gathering, interpreting, and processing of data involved in the
15 valuation of real property;

16 (iv) Knowledge of the appraisal of various types of and
17 interests in real property for various functions and purposes;

18 (v) An understanding of basic real estate law;

19 (vi) An understanding of the types of misconduct for
20 which disciplinary proceedings may be initiated;

21 (vii) An understanding of the Uniform Standards of
22 Professional Appraisal Practice;

23 (viii) An understanding of the recognized methods and
24 techniques necessary for the development and communication of a
25 credible appraisal; and

1 (ix) Knowledge of such other principles and procedures as
2 may be appropriate to produce a credible appraisal; and

3 (f) Not have been convicted of any felony or, if so
4 convicted, have had his or her civil rights restored.

5 (2) If an applicant is applying for renewal of a
6 credential as a certified general real property appraiser, the
7 applicant shall have successfully completed no fewer than fourteen
8 hours of instruction in courses or seminars for each year of the two-
9 year continuing education period during which the application is
10 submitted and shall have completed the seven-hour National Uniform
11 Standards of Professional Appraisal Practice Update Course as
12 approved by the Appraiser Qualifications Board as of January 1, ~~2010,~~
13 2012, or the equivalent of the course as approved by the Real
14 Property Appraiser Board, at a minimum of every two years. The seven-
15 hour course shall be taught by a Uniform Standards of Professional
16 Appraisal Practice Instructor who is certified by the Appraiser
17 Qualifications Board and who is a state-certified appraiser in good
18 standing. Credit toward a classroom hour requirement may be granted
19 only if the length of the educational offering is at least two hours.
20 The courses of study shall be conducted by an accredited, degree-
21 awarding university, college, or community college, an appraisal
22 society, institute, or association, a state or federal agency or
23 commission, a proprietary school, or such other educational provider
24 as may be approved by the Real Property Appraiser Board. Credit may
25 be granted for educational offerings and for participation other than

1 as a student as approved by the board.

2 (3) The application for a credential as a certified
3 general real property appraiser shall include the applicant's social
4 security number and such other information as the board may require.

5 Sec. 9. Section 76-2236, Revised Statutes Cumulative
6 Supplement, 2010, is amended to read:

7 76-2236 Every credential holder shall furnish evidence to
8 the board that he or she has satisfactorily completed no fewer than
9 twenty-eight hours of approved continuing education activities in
10 each two-year continuing education period. Hours of satisfactorily
11 completed approved continuing education activities cannot be carried
12 over from one two-year continuing education period to another. As
13 prescribed by rule or regulation of the board and at least once every
14 two years, the seven-hour National Uniform Standards of Professional
15 Appraisal Practice Update Course as approved by the Appraiser
16 Qualifications Board as of January 1, ~~2010~~, 2012, or the equivalent
17 of the course as approved by the Real Property Appraiser Board, shall
18 be included in the continuing education requirement of each
19 credential holder. As prescribed by rule or regulation of the Real
20 Property Appraiser Board and at least once every four years, a seven-
21 hour report writing update course shall be included in the continuing
22 education requirement of each credential holder. The Real Property
23 Appraiser Board shall approve continuing education activities which
24 it determines would protect the public by improving the competency of
25 credential holders. Evidence of completion of such continuing

1 education activities for the two-year continuing education period may
2 be submitted to the board as each activity is completed. A person who
3 holds a temporary or reciprocal credential shall not have to meet any
4 continuing education requirements in this state.

5 Sec. 10. Section 76-2241, Revised Statutes Cumulative
6 Supplement, 2010, is amended to read:

7 76-2241 The board shall charge and collect appropriate
8 fees for its services under the Real Property Appraiser Act as
9 follows:

10 (1) An application fee of one hundred fifty dollars;

11 (2) An examination fee of no more than three hundred
12 dollars. The board may direct applicants to pay the fee directly to a
13 third party who has contracted to administer the examination;

14 (3) An initial and renewal credentialing fee, other than
15 temporary credentialing, of no more than three hundred dollars;

16 (4) A late renewal fee of twenty-five dollars for each
17 month or portion of a month the fee is late;

18 (5) A temporary credential application fee for a licensed
19 residential real property appraiser, a certified residential real
20 property appraiser, or a certified general real property appraiser of
21 no more than one hundred dollars; and

22 (6) A pocket card fee of no more than fifty dollars for a
23 licensed residential real property appraiser, certified residential
24 real property appraiser, or certified general real property appraiser
25 holding a temporary credential under the act.

1 All fees for credentialing through reciprocity shall be
2 the same as those paid by others pursuant to this section.

3 In addition to the fees set forth in this section, the
4 board may collect and transmit to the appropriate federal authority
5 any fees established under the provisions of the Financial
6 Institutions Reform, Recovery, and Enforcement Act of 1989, as the
7 act existed on January 1, ~~2010~~.2012. The board may establish such
8 fees as it deems appropriate for special examinations and other
9 services provided by the board. All fees and other revenue collected
10 pursuant to the Real Property Appraiser Act shall be remitted by the
11 board to the State Treasurer for credit to the Real Property
12 Appraiser Fund.

13 Sec. 11. Section 76-2249, Revised Statutes Cumulative
14 Supplement, 2010, is amended to read:

15 76-2249 (1) The board may prepare a printed directory
16 showing the name and place of business of credential holders under
17 the Real Property Appraiser Act. Copies of the directory shall be
18 made available to the public at such reasonable price per copy as may
19 be fixed by the board and shall be provided to federal authorities as
20 required by the Financial Institutions Reform, Recovery, and
21 Enforcement Act of 1989, as the act existed on January 1, ~~2010~~.2012.

22 (2) The board shall provide without charge to any
23 credential holder under the act a set of rules and regulations
24 adopted and promulgated by the board and any other information which
25 the board deems important in the area of real property appraisal in

1 the State of Nebraska. The information may be printed in a booklet, a
2 pamphlet, or any other form the board determines appropriate. The
3 board may update such material as often as it deems necessary. The
4 board may provide such material to any other person upon request and
5 may charge a fee for the material. The fee shall be reasonable and
6 shall not exceed any reasonable or necessary costs of producing the
7 material for distribution.

8 Sec. 12. Original sections 76-2202, 76-2213.01,
9 76-2228.01, 76-2229.01, 76-2230, 76-2231.01, 76-2232, 76-2236,
10 76-2241, and 76-2249, Revised Statutes Cumulative Supplement, 2010,
11 and section 76-2223, Revised Statutes Supplement, 2011, are repealed.

12 Sec. 13. Since an emergency exists, this act takes effect
13 when passed and approved according to law.