

## LEGISLATIVE BILL 714

Approved by the Governor March 7, 2012

Introduced by McCoy, 39; Langemeier, 23.

FOR AN ACT relating to the Real Property Appraiser Act; to amend sections 76-2202, 76-2213.01, 76-2228.01, 76-2229.01, 76-2230, 76-2231.01, 76-2232, 76-2236, 76-2241, and 76-2249, Revised Statutes Cumulative Supplement, 2010, and section 76-2223, Revised Statutes Supplement, 2011; to update references; to change provisions relating to findings; to repeal the original sections; and to declare an emergency.

Be it enacted by the people of the State of Nebraska,

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

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

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

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

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

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

(a) Receive applications for credentialing under the act, process such applications and regulate the issuance of credentials to qualified applicants, and maintain a directory of the names and addresses of persons who receive credentials under the act;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(a) Be at least nineteen years of age;

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

(c) Have successfully completed no fewer than seventy-five class hours in board-approved courses of study which relate to appraisal and which include completion of the fifteen-hour National Uniform Standards of Professional Appraisal Practice Course as approved by the Appraiser Qualifications Board as of January 1, 2010, 2012, or the equivalent of the course as approved by the Real Property Appraiser Board. The fifteen-hour course shall be taught by a Uniform Standards of Professional Appraisal Practice Instructor who is certified by the Appraiser Qualifications Board and who is a state-certified appraiser in good standing. The courses of study shall be conducted by an accredited, degree-awarding university, college, or community college, an appraisal society, institute, or association, a state or federal agency or commission, a proprietary school, or such other educational provider as may be approved by the Real Property Appraiser Board and shall be, at a minimum, fifteen class hours in length. Each course shall include an examination pertinent to the material presented. The applicant shall have completed the class hours within the five-year period immediately preceding submission of the application and shall have completed the fifteen-hour National Uniform Standards of Professional Appraisal Practice Course within the two-year period immediately preceding submission of the application;

(d) Be subject to direct supervision by a supervising appraiser or appraisers who are certified residential real property appraisers or certified general real property appraisers in good standing. The supervising appraiser shall be responsible for the training and direct supervision of the trainee by accepting responsibility for the appraisal report by signing and certifying the report is in compliance with the Uniform Standards of Professional Appraisal Practice, reviewing the trainee appraisal reports, and personally inspecting each appraised property with the trainee as is consistent with his or her scope of practice until the supervising appraiser determines the trainee is competent in accordance with the competency rule of the Uniform Standards of Professional Appraisal Practice. The trainee shall maintain an appraisal log for each supervising appraiser in accordance with standards set by rule and regulation of the board; and

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

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

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

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

(iii) meet the postsecondary educational requirements pursuant to subdivision (1) (b) (i) or (ii) of section 76-2231.01; or

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

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

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

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

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

- (a) Be at least nineteen years of age;
- (b) Hold a high school diploma or a certificate of high school equivalency or have education acceptable to the board;
- (c) Have successfully completed no fewer than ninety class hours in board-approved courses of study which relate to appraisal and which include the fifteen-hour National Uniform Standards of Professional Appraisal Practice Course as approved by the Appraiser Qualifications Board as of January 1, ~~2010~~, 2012, or the equivalent of the course as approved by the Real Property Appraiser Board. The courses of study shall be conducted by an accredited, degree-awarding university, college, or community college, an appraisal society, institute, or association, or such other educational provider as may be approved by the Real Property Appraiser Board and shall be, at a minimum, fifteen class hours in length. Each course of study shall include an examination pertinent to the material presented;
- (d) Within the twelve months following approval of the applicant by the Real Property Appraiser Board, pass an examination approved by the Appraiser Qualifications Board as of January 1, ~~2010~~, 2012, and administered by a contracted testing service which demonstrates that the applicant has:
  - (i) Knowledge of technical terms commonly used in or related to appraisal and the writing of appraisal reports;
  - (ii) Knowledge of depreciation theories, cost estimating, methods of capitalization, market data analysis, appraisal mathematics, and economic concepts applicable to real estate;
  - (iii) An understanding of the basic principles of land economics, appraisal processes, and problems encountered in the gathering, interpreting, and processing of data involved in the valuation of real property;
  - (iv) Knowledge of the appraisal of various types of and interests in real property for various functions and purposes;
  - (v) An understanding of basic real estate law;
  - (vi) An understanding of the types of misconduct for which disciplinary proceedings may be initiated;
  - (vii) An understanding of the Uniform Standards of Professional Appraisal Practice;
  - (viii) An understanding of the recognized methods and techniques necessary for the development and communication of a credible appraisal; and
  - (ix) Knowledge of such other principles and procedures as may be appropriate to produce a credible appraisal; and
- (e) Not have been convicted of any felony or, if so convicted, have had his or her civil rights restored.

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

- (a) For a credential as a licensed residential real property

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

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

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

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

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

(5) An applicant shall receive no more than three successive annual renewals for credentialing as a registered real property appraiser. Notwithstanding any other provision of section 76-2228 to the contrary, the board shall not approve any initial application for credentialing as a registered real property appraiser on and after January 1, 2012.

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

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

(a) Be at least nineteen years of age;

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

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

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

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

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

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

(iii) An understanding of the principles of land economics, appraisal processes, and problems encountered in the gathering, interpreting,

and processing of data involved in the valuation of real property;

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

(v) An understanding of basic real estate law;

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

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

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

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

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

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

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

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

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

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

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

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

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

(a) Be at least nineteen years of age;

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

(ii) Have successfully completed, as verified by the board, twenty-one semester hours of coursework or its equivalent from an accredited, degree-awarding university, college, or community college that shall have included English composition; principles of macroeconomics or microeconomics; finance; algebra, geometry, or higher mathematics; statistics; introduction to computers, including word processing and spread sheets; and business or real estate law;

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

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

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

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

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

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

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

(v) An understanding of basic real estate law;

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

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

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

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

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

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

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

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

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

(3) The scope of practice of a certified residential real property appraiser shall be limited to the appraisal of property having one, two, three, or four residential units without regard to transaction value or complexity.

(4) If an applicant is applying for renewal of a credential as a certified residential real property appraiser, the applicant shall have successfully completed no fewer than fourteen hours of instruction in courses or seminars for each year of the two-year continuing education period during which the application is submitted and shall have completed the seven-hour National Uniform Standards of Professional Appraisal Practice Update Course as approved by the Appraiser Qualifications Board as of January 1, ~~2010~~, 2012,

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

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

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

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

- (a) Be at least nineteen years of age;
- (b) (i) Hold a bachelor's degree, or higher, from an accredited, degree-awarding university or college; or
  - (ii) Have successfully completed, as verified by the board, thirty semester hours of coursework or its equivalent from an accredited, degree-awarding university or college that shall have included English composition; macroeconomics; microeconomics; finance; algebra, geometry, or higher mathematics; statistics; introduction to computers, including word processing and spread sheets; business or real estate law; and two elective courses in accounting, geography, agricultural economics, business management, or real estate;
- (c) Have successfully completed no fewer than three hundred class hours, which may include the class hours set forth in sections 76-2229.01, 76-2230, and 76-2231.01, in board-approved courses of study which relate to appraisal and which include completion of the fifteen-hour National Uniform Standards of Professional Appraisal Practice Course as approved by the Appraiser Qualifications Board as of January 1, ~~2010~~, 2012, or the equivalent of the course as approved by the Real Property Appraiser Board. The fifteen-hour course shall be taught by a Uniform Standards of Professional Appraisal Practice Instructor who is certified by the Appraiser Qualifications Board and who is a state-certified appraiser in good standing. The courses of study shall be conducted by an accredited, degree-awarding university, college, or community college, an appraisal society, institute, or association, a state or federal agency or commission, a proprietary school, or such other educational provider as may be approved by the Real Property Appraiser Board and shall be, at a minimum, fifteen class hours in length. Each course shall include a closed-book examination pertinent to the material presented;
- (d) Have no fewer than three thousand hours of experience in any combination of the following: Fee and staff appraisal; ad valorem tax appraisal; condemnation appraisal; technical review appraisal; appraisal analysis; real estate consulting; highest-and-best-use analysis; and feasibility analysis or study. The required experience shall not be limited to the listed items but shall be acceptable to the board and subject to review and determination as to conformity with the Uniform Standards of Professional Appraisal Practice. The experience shall have occurred during a period of no fewer than thirty months. If requested, evidence acceptable to the board concerning the experience shall be presented by the applicant in the form of written reports or file memoranda;
- (e) Within the twelve months following approval of the applicant by the board, pass an examination approved by the Appraiser Qualifications Board as of January 1, ~~2010~~, 2012, and administered by a contracted testing service which demonstrates that the applicant has:
  - (i) Knowledge of technical terms commonly used in or related to appraisal and the writing of appraisal reports;
  - (ii) Knowledge of depreciation theories, cost estimating, methods of capitalization, market data analysis, appraisal mathematics, and economic concepts applicable to real estate;
  - (iii) An understanding of the principles of land economics, appraisal processes, and problems encountered in the gathering, interpreting, and processing of data involved in the valuation of real property;
  - (iv) Knowledge of the appraisal of various types of and interests in real property for various functions and purposes;

- (v) An understanding of basic real estate law;
  - (vi) An understanding of the types of misconduct for which disciplinary proceedings may be initiated;
  - (vii) An understanding of the Uniform Standards of Professional Appraisal Practice;
  - (viii) An understanding of the recognized methods and techniques necessary for the development and communication of a credible appraisal; and
  - (ix) Knowledge of such other principles and procedures as may be appropriate to produce a credible appraisal; and
- (f) Not have been convicted of any felony or, if so convicted, have had his or her civil rights restored.

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

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

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

76-2236 Every credential holder shall furnish evidence to the board that he or she has satisfactorily completed no fewer than twenty-eight hours of approved continuing education activities in each two-year continuing education period. Hours of satisfactorily completed approved continuing education activities cannot be carried over from one two-year continuing education period to another. As prescribed by rule or regulation of the board and at least once every two years, the seven-hour National Uniform Standards of Professional Appraisal Practice Update Course as approved by the Appraiser Qualifications Board as of January 1, ~~2010~~, 2012, or the equivalent of the course as approved by the Real Property Appraiser Board, shall be included in the continuing education requirement of each credential holder. As prescribed by rule or regulation of the Real Property Appraiser Board and at least once every four years, a seven-hour report writing update course shall be included in the continuing education requirement of each credential holder. The Real Property Appraiser Board shall approve continuing education activities which it determines would protect the public by improving the competency of credential holders. Evidence of completion of such continuing education activities for the two-year continuing education period may be submitted to the board as each activity is completed. A person who holds a temporary or reciprocal credential shall not have to meet any continuing education requirements in this state.

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

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

- (1) An application fee of one hundred fifty dollars;
- (2) An examination fee of no more than three hundred dollars. The board may direct applicants to pay the fee directly to a third party who has contracted to administer the examination;
- (3) An initial and renewal credentialing fee, other than temporary credentialing, of no more than three hundred dollars;
- (4) A late renewal fee of twenty-five dollars for each month or portion of a month the fee is late;
- (5) A temporary credential application fee for a licensed residential real property appraiser, a certified residential real property appraiser, or a certified general real property appraiser of no more than one hundred dollars; and



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

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

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

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

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

(2) The board shall provide without charge to any credential holder under the act a set of rules and regulations adopted and promulgated by the board and any other information which the board deems important in the area of real property appraisal in the State of Nebraska. The information may be printed in a booklet, a pamphlet, or any other form the board determines appropriate. The board may update such material as often as it deems necessary. The board may provide such material to any other person upon request and may charge a fee for the material. The fee shall be reasonable and shall not exceed any reasonable or necessary costs of producing the material for distribution.

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

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