

E AND R AMENDMENTS TO LB717

Introduced by Murante, 49, Chairman Enrollment and Review

1           1. Strike the original sections and all amendments  
2 thereto and insert the following new sections:

3           Section 1. Section 76-2201, Reissue Revised Statutes of  
4 Nebraska, is amended to read:

5           76-2201 Sections 76-2201 to 76-2250 and sections 4 to 9,  
6 11, 12, and 16 of this act shall be known and may be cited as the  
7 Real Property Appraiser Act.

8           Sec. 2. Section 76-2202, Revised Statutes Cumulative  
9 Supplement, 2012, is amended to read:

10           76-2202 The Legislature finds that as a result of the  
11 enactment of the Dodd-Frank Wall Street Reform and Consumer  
12 Protection Act, as the act existed on January 1, ~~2012~~, 2014,  
13 and the Financial Institutions Reform, Recovery, and Enforcement  
14 Act of 1989, as the act existed on January 1, ~~2012~~, Nebraska's  
15 laws providing for regulation of real property appraisers require  
16 restructuring in order to comply with such acts. Compliance with  
17 the acts is necessary to ensure an adequate number of appraisers in  
18 Nebraska to conduct appraisals of real estate involved in federally  
19 related transactions as defined in such acts.

20           Sec. 3. Section 76-2203, Reissue Revised Statutes of  
21 Nebraska, is amended to read:

22           76-2203 For purposes of the Real Property Appraiser Act,  
23 the definitions found in sections 76-2204 to 76-2219 and sections 4

1 to 9, 11, and 12 of this act shall be used.

2           Sec. 4. Accredited degree-awarding community college,  
3 college, or university means an institution that is approved or  
4 accredited by a regional or national accreditation association or  
5 an agency recognized by the United States Secretary of Education.

6           Sec. 5. Completed application means an application for  
7 credentialing has been processed, all statutory requirements for  
8 a credential to be awarded have been met by the applicant, and  
9 all required documentation is submitted to the board for final  
10 consideration.

11           Sec. 6. Complex residential real property means  
12 residential property in which the property to be appraised, the  
13 form of ownership, or the market conditions are atypical.

14           Sec. 7. Fifteen-hour National Uniform Standards of  
15 Professional Appraisal Practice Course means the course as approved  
16 by the Appraiser Qualifications Board as of January 1, 2014, or the  
17 equivalent of the course as approved by the Real Property Appraiser  
18 Board.

19           Sec. 8. Financial Institutions Reform, Recovery, and  
20 Enforcement Act of 1989 means the act as it existed on January 1,  
21 2014.

22           Sec. 9. Jurisdiction of practice means any state,  
23 territory, or the District of Columbia in which an appraiser  
24 devotes his or her time engaged in real property appraisal  
25 activity.

26           Sec. 10. Section 76-2213.01, Revised Statutes Cumulative  
27 Supplement, 2012, is amended to read:

1                   76-2213.01 Uniform Standards of Professional Appraisal  
2 Practice means the standards promulgated by the Appraisal  
3 Foundation as the standards existed on January 1, ~~2012~~, 2014.

4                   Sec. 11. Signature means personalized evidence indicating  
5 authentication of the work performed by the real property appraiser  
6 and the acceptance of the responsibility for content, analyses, and  
7 the conclusions in a report.

8                   Sec. 12. Section 76-2217.02, Reissue Revised Statutes of  
9 Nebraska, is amended to read:

10                   ~~76-2217.02~~ Trainee real property appraiser means a person  
11 who holds a valid credential as a trainee real property appraiser  
12 issued under the Real Property Appraiser Act, ~~and who, under the~~  
13 ~~direct supervision of a certified residential or certified general~~  
14 ~~real property appraiser, assists the appraiser in any phase of~~  
15 ~~appraisal activity but does not include nonprofessional employees~~  
16 ~~such as clerical employees.~~

17                   Sec. 13. Section 76-2223, Revised Statutes Cumulative  
18 Supplement, 2012, is amended to read:

19                   76-2223 (1) The Real Property Appraiser Board shall  
20 administer and enforce the Real Property Appraiser Act and may:

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

25                   (b) Hold meetings, public hearings, informal conferences,  
26 and administrative hearings, prepare or cause to be prepared  
27 specifications for all appraiser classifications, solicit bids

1 and enter into contracts with one or more testing services, and  
2 administer or contract for the administration of examinations  
3 approved by the Appraiser Qualifications Board in such places and  
4 at such times as deemed appropriate;

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

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

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

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

21 (g) Issue subpoenas to compel the attendance of witnesses  
22 and the production of books, documents, records, and other papers,  
23 administer oaths, and take testimony and require submission of and  
24 receive evidence concerning all matters within its jurisdiction.  
25 In case of disobedience of a subpoena, the Real Property Appraiser  
26 Board may make application to the district court of Lancaster  
27 County to require the attendance and testimony of witnesses and the

1 production of documentary evidence. If any person fails to obey an  
2 order of the court, he or she may be punished by the court as for  
3 contempt thereof;

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

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

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

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

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

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

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

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

6           Sec. 14. Section 76-2227, Reissue Revised Statutes of  
7 Nebraska, is amended to read:

8           76-2227 (1) Applications for credentials, including  
9 authorization to take the appropriate examination, and for renewal  
10 of credentials shall be made in writing to the board on forms  
11 approved by the board. The payment of the appropriate fee fixed  
12 by the board pursuant to section 76-2241 shall accompany all  
13 applications.

14           (2) Applications for credentials, including initial and  
15 renewal applications, shall include the applicant's social security  
16 number and such other information as the board may require.

17           ~~(2)~~ (3) At the time of filing an initial or renewal  
18 application for credentials, the applicant shall sign a pledge that  
19 he or she has read and will comply with the Uniform Standards of  
20 Professional Appraisal Practice. Each applicant shall also certify  
21 that he or she understands the types of misconduct for which  
22 disciplinary proceedings may be initiated.

23           ~~(3)~~ (4) Credentials shall be issued only to persons who  
24 have a good reputation for honesty, trustworthiness, integrity, and  
25 competence to perform assignments in such manner as to safeguard  
26 the interest of the public and only after satisfactory proof of  
27 such qualification has been presented to the board upon request and

1 a completed application has been approved.

2 ~~(4)~~ (5) No credential shall be issued to a corporation,  
3 partnership, limited liability company, firm, or group.

4 Sec. 15. Section 76-2228.01, Revised Statutes Cumulative  
5 Supplement, 2012, is amended to read:

6 76-2228.01 (1) To qualify for a credential as a trainee  
7 real property appraiser, an applicant shall:

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

9 (b) Hold a high school diploma or a certificate of high  
10 school equivalency or have education acceptable to the ~~board,~~ Real  
11 Property Appraiser Board;

12 (c) (i) Have successfully completed and passed examination  
13 for no fewer than seventy-five class hours in board-approved Real  
14 Property Appraiser Board-approved qualifying education courses of  
15 study which relate to appraisal and which include completion  
16 of as prescribed by rule or regulation of the Real Property  
17 Appraiser Board and complete the fifteen-hour National Uniform  
18 Standards of Professional Appraisal Practice Course, as approved  
19 by the Appraiser Qualifications Board as of January 1, 2012, or  
20 the equivalent of the course as approved by the Real Property  
21 Appraiser Board. The fifteen-hour course shall be taught by a  
22 Uniform Standards of Professional Appraisal Practice Instructor  
23 who is certified by the Appraiser Qualifications Board and who  
24 is a state-certified appraiser in good standing. The qualifying  
25 education courses of study shall be conducted by an accredited,  
26 degree-awarding university, college, or community college, college,  
27 or university, an appraisal society, institute, or association, a

1 state or federal agency or commission, a proprietary school, or  
2 such other educational provider as may be approved by the Real  
3 Property Appraiser Board, and shall be, at a minimum, fifteen class  
4 hours in length. Each course shall be conducted in a classroom  
5 and not online or by correspondence. Each course shall include  
6 an examination pertinent to the material presented. ~~The applicant~~  
7 ~~shall have completed the class hours within the five-year period~~  
8 ~~immediately preceding submission of the application and shall~~  
9 ~~have completed the fifteen-hour National Uniform Standards of~~  
10 ~~Professional Appraisal Practice Course within the two-year~~ Except  
11 for the fifteen-hour National Uniform Standards of Professional  
12 Appraisal Practice Course, all class hours shall be completed  
13 within the five-year period immediately preceding submission of the  
14 application; or

15 (ii) Hold a bachelor's degree or higher in real estate  
16 from an accredited degree-awarding college or university that has  
17 had all or part of its curriculum approved by the Appraiser  
18 Qualifications Board as required core curriculum. If the degree  
19 in real estate as approved by the Appraiser Qualifications  
20 Board does not satisfy all required qualifying education for  
21 credentialing, the remaining class hours shall be completed in Real  
22 Property Appraiser Board-approved qualifying education pursuant to  
23 subdivision (c)(i) of this subsection;

24 (d) As prescribed by rule or regulation of the Real  
25 Property Appraiser Board, successfully complete a Real Property  
26 Appraiser Board-approved seven-hour supervisory appraiser and  
27 trainee course within one year immediately preceding the date of



1 application;

2 (e) Certify that he or she has not surrendered an  
3 appraiser credential, or any other registration, license, or  
4 certification, held for any other regulatory agency or in any  
5 other jurisdiction, in lieu of disciplinary action pending or  
6 threatened within the five-year period immediately preceding the  
7 date of application;

8 (f) Certify that his or her appraiser credential, or  
9 any other registration, license, or certification, held for any  
10 other regulatory agency or in any other jurisdiction, has not  
11 been revoked or suspended within the five-year period immediately  
12 preceding the date of application;

13 (g) Not have been convicted of, including a conviction  
14 based upon a plea of guilty or nolo contendere:

15 (i) Any felony or, if so convicted, has had his or her  
16 civil rights restored;

17 (ii) Any crime of fraud, dishonesty, breach of trust,  
18 money laundering, misrepresentation, or deceit involving real  
19 estate, financial services, or in the making of an appraisal  
20 within the five-year period immediately preceding the date of  
21 application; or

22 (iii) A crime which is related to the qualifications,  
23 functions, or duties of a real property appraiser within the  
24 five-year period immediately preceding the date of application;

25 (h) Certify that no civil judicial actions, including  
26 dismissal with settlement, in connection with real estate,  
27 financial services, or in the making of an appraisal have been

1 brought against him or her within the five-year period immediately  
2 preceding the date of application;

3 (i) Demonstrate character and general fitness such as to  
4 command the confidence and trust of the public; and

5 (j) Submit two copies of legible ink-rolled fingerprint  
6 cards or equivalent electronic fingerprint submissions to the  
7 Real Property Appraiser Board for delivery to the Nebraska State  
8 Patrol in a form approved by both the Nebraska State Patrol and  
9 the Federal Bureau of Investigation. A fingerprint-based national  
10 criminal history record check shall be conducted through the  
11 Nebraska State Patrol and the Federal Bureau of Investigation with  
12 such record check to be carried out by the Real Property Appraiser  
13 Board.

14 (2) Prior to engaging in appraisal practice or real  
15 property appraisal activity, a trainee real property appraiser  
16 shall submit a written request for supervisory appraiser approval  
17 on a form approved by the board. The request for supervisory  
18 appraiser approval may be made at the time of application or any  
19 time after approval as a trainee real property appraiser.

20 (3) To qualify for an upgraded credential, a trainee real  
21 property appraiser shall satisfy the appropriate requirements as  
22 follows:

23 (a) Submit two copies of legible ink-rolled fingerprint  
24 cards or equivalent electronic fingerprint submissions to the  
25 Real Property Appraiser Board for delivery to the Nebraska State  
26 Patrol in a form approved by both the Nebraska State Patrol and  
27 the Federal Bureau of Investigation. A fingerprint-based national

1 criminal history record check shall be conducted through the  
2 Nebraska State Patrol and the Federal Bureau of Investigation with  
3 such record check to be carried out by the Real Property Appraiser  
4 Board; and

5 (b) Within the twelve months following approval of the  
6 applicant's education and experience by the Real Property Appraiser  
7 Board for an upgraded credential, pass an appropriate examination  
8 approved by the Appraiser Qualifications Board for that upgraded  
9 credential, prescribed by rule or regulation of the Real Property  
10 Appraiser Board, and administered by a contracted testing service.

11 (4) To qualify for a credential as a licensed residential  
12 real property appraiser, a trainee real property appraiser shall:

13 (a) Meet the postsecondary educational requirements  
14 pursuant to subdivision (1)(b)(i) or (ii) and (1)(c) of section  
15 76-2230;

16 (b) Successfully complete and pass examination for no  
17 fewer than seventy-five additional class hours in board-approved  
18 qualifying education courses as prescribed by rule or regulation  
19 of the board, or hold a bachelor's degree in real estate from  
20 an accredited degree-awarding college or university pursuant to  
21 subdivision (1)(d)(ii) of section 76-2230; and

22 (c) Meet the experience requirements pursuant to  
23 subdivision (1)(e) of section 76-2230.

24 (5) To qualify for a credential as a certified  
25 residential real property appraiser, a trainee real property  
26 appraiser shall:

27 (a) Meet the postsecondary educational requirements

1 pursuant to subdivision (1)(b) and (c) of section 76-2231.01;

2 (b) Successfully complete and pass examination for no  
3 fewer than one hundred twenty-five additional class hours in  
4 board-approved qualifying education courses as prescribed by rule  
5 or regulation of the board, or hold a bachelor's degree in real  
6 estate from an accredited degree-awarding college or university  
7 pursuant to subdivision (1)(d)(ii) of section 76-2231.01; and

8 (c) Meet the experience requirements pursuant to  
9 subdivision (1)(e) of section 76-2231.01.

10 (6) To qualify for a credential as a certified general  
11 real property appraiser, a trainee real property appraiser shall:

12 (a) Meet the postsecondary educational requirements  
13 pursuant to subdivision (1)(b) and (c) of section 76-2232;

14 (b) Successfully complete and pass examination for no  
15 fewer than two hundred twenty-five additional class hours in  
16 board-approved qualifying education courses as prescribed by rule  
17 or regulation of the board, or hold a bachelor's degree in real  
18 estate from an accredited degree-awarding college or university  
19 pursuant to subdivision (1)(d)(ii) of section 76-2232; and

20 (c) Meet the experience requirements pursuant to  
21 subdivision (1)(e) of section 76-2232.

22 (7) The scope of practice for the trainee real property  
23 appraiser shall be limited to the appraisal of those properties  
24 that the supervisory certified real property appraiser is permitted  
25 to appraise by his or her current credential and that the  
26 supervisory appraiser is competent to appraise.

27 (d) Be subject to direct supervision by a supervising

1 appraiser or appraisers who are certified residential real property  
2 appraisers or certified general real property appraisers in good  
3 standing. The supervising appraiser shall be responsible for the  
4 training and direct supervision of the trainee by accepting  
5 responsibility for the appraisal report by signing and certifying  
6 the report is in compliance with the Uniform Standards of  
7 Professional Appraisal Practice, reviewing the trainee appraisal  
8 reports, and personally inspecting each appraised property with  
9 the trainee as is consistent with his or her scope of practice  
10 until the supervising appraiser determines the trainee is competent  
11 in accordance with the competency rule of the Uniform Standards  
12 of Professional Appraisal Practice. The trainee shall maintain an  
13 appraisal log for each supervising appraiser in accordance with  
14 standards set by rule and regulation of the board, and

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

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

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

25 (b) For a credential as a certified residential real  
26 property appraiser, he or she shall (i) complete one hundred  
27 twenty-five additional hours of designated core curriculum

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

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

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

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

4           Sec. 16. (1) Each trainee real property appraiser's  
5 experience shall be subject to direct supervision by a supervisory  
6 appraiser. To qualify as a supervisory appraiser, a real property  
7 appraiser shall:

8           (a) Be a certified residential real property appraiser or  
9 certified general real property appraiser in good standing;

10          (b) Have held a certified real property appraiser  
11 credential for a minimum of three years immediately preceding the  
12 date of the written request for approval as supervisory appraiser;

13          (c) Have not successfully completed disciplinary action  
14 by the board or any other jurisdiction, which action limited  
15 the real property appraiser's legal eligibility to engage in  
16 real property appraisal activity within three years immediately  
17 preceding the date the written request for approval as supervisory  
18 appraiser is submitted by the applicant or trainee real property  
19 appraiser on a form approved by the board;

20          (d) As prescribed by rule or regulation of the board,  
21 have successfully completed a board-approved seven-hour supervisory  
22 appraiser and trainee course within two years immediately preceding  
23 the date the written request for approval as supervisory appraiser  
24 is submitted by the applicant or trainee real property appraiser on  
25 a form approved by the board; and

26          (e) Certify that he or she understands his or her  
27 responsibilities and obligations under the Real Property Appraiser

1 Act as a supervisory appraiser and applies his or her signature to  
2 the written request for approval as supervisory appraiser submitted  
3 by the applicant or trainee real property appraiser.

4 (2) The supervisory appraiser shall be responsible for  
5 the training and direct supervision of the trainee real property  
6 appraiser's experience by:

7 (a) Accepting responsibility for the report by applying  
8 his or her signature and certifying that the report is in  
9 compliance with the Uniform Standards of Professional Appraisal  
10 Practice;

11 (b) Reviewing the trainee real property appraiser  
12 reports; and

13 (c) Personally inspecting each appraised property with  
14 the trainee real property appraiser as is consistent with his or  
15 her scope of practice until the supervisory appraiser determines  
16 that the trainee real property appraiser is competent in accordance  
17 with the competency rule of the Uniform Standards of Professional  
18 Appraisal Practice.

19 (3) A certified real property appraiser disciplined by  
20 the board or any other appraiser regulatory agency in another  
21 jurisdiction, which discipline may or may not have limited the  
22 real property appraiser's legal eligibility to engage in real  
23 property appraisal activity, shall not be eligible as a supervisory  
24 appraiser as of the date disciplinary action was imposed against  
25 the appraiser by the board or any other appraiser regulatory  
26 agency. The certified real property appraiser shall be considered  
27 to be in good standing and eligible as a supervisory appraiser



1 upon the successful completion of disciplinary action that does  
2 not limit the real property appraiser's legal eligibility to engage  
3 in real property appraisal activity, or three years after the  
4 successful completion of disciplinary action that limits the real  
5 property appraiser's legal eligibility to engage in real property  
6 appraisal activity.

7 (4) The trainee real property appraiser may have more  
8 than one supervisory appraiser, but a supervisory appraiser may not  
9 supervise more than three trainee real property appraisers at one  
10 time.

11 (5) As prescribed by rule or regulation of the board,  
12 an appraisal experience log shall be maintained jointly by the  
13 supervisory appraiser and the trainee real property appraiser.

14 Sec. 17. Section 76-2230, Revised Statutes Cumulative  
15 Supplement, 2012, is amended to read:

16 76-2230 ~~(1) To qualify for a credential as a licensed~~  
17 ~~residential real property appraiser, an applicant shall:~~

18 ~~(a) Be at least nineteen years of age;~~

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

21 ~~(c) Have successfully completed no fewer than one~~  
22 ~~hundred fifty class hours, which may include the class hours set~~  
23 ~~forth in section 76-2229.01, in board-approved courses of study~~  
24 ~~which relate to appraisal and which include completion of the~~  
25 ~~fifteen-hour National Uniform Standards of Professional Appraisal~~  
26 ~~Practice Course as approved by the Appraiser Qualifications Board~~  
27 ~~as of January 1, 2012, or the equivalent of the course as~~

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

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

26 (e) Within the twelve months following approval of  
27 the applicant by the board, pass an examination approved by

1 the Appraiser Qualifications Board as of January 1, 2012, and  
2 administered by a contracted testing service which demonstrates  
3 that the applicant has:

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

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

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

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

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

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

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

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

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

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

27 (2) To qualify for an upgraded credential, a licensed

1 residential real property appraiser shall satisfy at least one of  
2 the appropriate requirements as follows:

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

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

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

23 (4) If an applicant is applying for renewal of a  
24 credential as a licensed residential real property appraiser, the  
25 applicant shall have successfully completed no fewer than fourteen  
26 hours of instruction in courses or seminars for each year of the  
27 two-year continuing education period during which the application

1 is submitted and shall have completed the seven-hour National  
2 Uniform Standards of Professional Appraisal Practice Update Course  
3 as approved by the Appraiser Qualifications Board as of January  
4 1, 2012, or the equivalent of the course as approved by the  
5 Real Property Appraiser Board, at a minimum of every two years.  
6 The seven-hour course shall be taught by a Uniform Standards of  
7 Professional Appraisal Practice Instructor who is certified by  
8 the Appraiser Qualifications Board and who is a state-certified  
9 appraiser in good standing. Credit toward a classroom hour  
10 requirement may be granted only when the length of the educational  
11 offering is at least two hours. The courses of study shall be  
12 conducted by an accredited, degree-awarding university, college, or  
13 community college, an appraisal society, institute, or association,  
14 a state or federal agency or commission, a proprietary school, or  
15 such other educational provider as may be approved by the Real  
16 Property Appraiser Board. Credit may be granted for educational  
17 offerings and for participation other than as a student as approved  
18 by the board.

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

23 (1) To qualify for a credential as a licensed residential  
24 real property appraiser, an applicant shall:

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

26 (b) (i) Hold an associate's degree, or higher, from  
27 an accredited degree-awarding community college, college, or

1 university; or

2 (ii) Successfully complete thirty semester hours of  
3 college-level education, from an accredited degree-awarding  
4 community college, college, or university. If an accredited  
5 degree-awarding community college, college, or university accepts  
6 the College-Level Examination Program and examinations and issues  
7 a transcript for the examination showing its approval, it will be  
8 considered as credit for the college course;

9 (c) Have his or her education evaluated for equivalency  
10 by one of the following if the college degree is from a foreign  
11 country:

12 (i) An accredited degree-awarding college or university;

13 (ii) The American Association of Collegiate Registrars  
14 and Admissions Officers;

15 (iii) A foreign degree credential evaluation service  
16 company that is a member of the National Association of Credential  
17 Evaluation Services; or

18 (iv) A foreign degree credential evaluation service  
19 company that provides equivalency evaluation reports accepted by an  
20 accredited degree-awarding college or university;

21 (d) (i) Have successfully completed and passed examination  
22 for no fewer than one hundred fifty class hours in Real  
23 Property Appraiser Board-approved qualifying education courses as  
24 prescribed by rule or regulation of the Real Property Appraiser  
25 Board and complete the fifteen-hour National Uniform Standards  
26 of Professional Appraisal Practice Course. The fifteen-hour  
27 course shall be taught by a Uniform Standards of Professional

1 Appraisal Practice Instructor who is certified by the Appraiser  
2 Qualifications Board and who is a state-certified appraiser in  
3 good standing. The qualifying education courses shall be conducted  
4 by an accredited degree-awarding community college, college, or  
5 university, an appraisal society, institute, or association, a  
6 state or federal agency or commission, a proprietary school, or  
7 such other educational provider as may be approved by the Real  
8 Property Appraiser Board, and shall be, at a minimum, fifteen class  
9 hours in length. Each course shall be conducted in a classroom  
10 and not online or by correspondence. Each course shall include a  
11 closed-book examination pertinent to the material presented; or

12 (ii) Hold a bachelor's degree or higher in real estate  
13 from an accredited degree-awarding college or university that has  
14 had all or part of its curriculum approved by the Appraiser  
15 Qualifications Board as required core curriculum. If the degree  
16 in real estate as approved by the Appraiser Qualifications  
17 Board does not satisfy all required qualifying education for  
18 credentialing, the remaining class hours shall be completed in Real  
19 Property Appraiser Board-approved qualifying education pursuant to  
20 subdivision (d)(i) of this subsection;

21 (e) Have no fewer than two thousand hours of experience  
22 as prescribed by rule or regulation of the Real Property Appraiser  
23 Board. The required experience shall be acceptable to the Real  
24 Property Appraiser Board and subject to review and determination as  
25 to conformity with the Uniform Standards of Professional Appraisal  
26 Practice. The experience shall have occurred during a period of no  
27 fewer than twelve months. If requested, evidence acceptable to the

1 Real Property Appraiser Board concerning the experience shall be  
2 presented by the applicant in the form of written reports or file  
3 memoranda;

4 (f) Certify that he or she has not surrendered an  
5 appraiser credential, or any other registration, license, or  
6 certification, held for any other regulatory agency or in any  
7 other jurisdiction, in lieu of disciplinary action pending or  
8 threatened within the five-year period immediately preceding the  
9 date of application;

10 (g) Certify that his or her appraiser credential, or  
11 any other registration, license, or certification, held for any  
12 other regulatory agency or in any other jurisdiction, has not  
13 been revoked or suspended within the five-year period immediately  
14 preceding the date of application;

15 (h) Not have been convicted of, including a conviction  
16 based upon a plea of guilty or nolo contendere;

17 (i) Any felony or, if so convicted, has had his or her  
18 civil rights restored;

19 (ii) Any crime of fraud, dishonesty, breach of trust,  
20 money laundering, misrepresentation, or deceit involving real  
21 estate, financial services, or in the making of an appraisal  
22 within the five-year period immediately preceding the date of  
23 application; or

24 (iii) A crime which is related to the qualifications,  
25 functions, or duties of a real property appraiser within the  
26 five-year period immediately preceding the date of application;

27 (i) Certify that no civil judicial actions, including



1 dismissal with settlement, in connection with real estate,  
2 financial services, or in the making of an appraisal have been  
3 brought against him or her within the five-year period immediately  
4 preceding the date of application;

5 (j) Demonstrate character and general fitness such as to  
6 command the confidence and trust of the public;

7 (k) Submit two copies of legible ink-rolled fingerprint  
8 cards or equivalent electronic fingerprint submissions to the  
9 Real Property Appraiser Board for delivery to the Nebraska State  
10 Patrol in a form approved by both the Nebraska State Patrol and  
11 the Federal Bureau of Investigation. A fingerprint-based national  
12 criminal history record check shall be conducted through the  
13 Nebraska State Patrol and the Federal Bureau of Investigation with  
14 such record check to be carried out by the Real Property Appraiser  
15 Board; and

16 (l) Within the twelve months following approval of  
17 the applicant's education and experience by the Real Property  
18 Appraiser Board, pass a licensed residential real property  
19 appraiser examination, certified residential real property  
20 appraiser examination, or certified general real property appraiser  
21 examination, approved by the Appraiser Qualifications Board,  
22 prescribed by rule or regulation of the Real Property Appraiser  
23 Board, and administered by a contracted testing service.

24 (2) To qualify for an upgraded credential, a licensed  
25 residential real property appraiser shall satisfy the appropriate  
26 requirements as follows:

27 (a) Submit two copies of legible ink-rolled fingerprint

1 cards or equivalent electronic fingerprint submissions to the  
2 Real Property Appraiser Board for delivery to the Nebraska State  
3 Patrol in a form approved by both the Nebraska State Patrol and  
4 the Federal Bureau of Investigation. A fingerprint-based national  
5 criminal history record check shall be conducted through the  
6 Nebraska State Patrol and the Federal Bureau of Investigation with  
7 such record check to be carried out by the Real Property Appraiser  
8 Board; and

9 (b) Within the twelve months following approval of the  
10 applicant's education and experience by the Real Property Appraiser  
11 Board for an upgraded credential, pass an appropriate examination  
12 approved by the Appraiser Qualifications Board for that upgraded  
13 credential, prescribed by rule or regulation of the Real Property  
14 Appraiser Board, and administered by a contracted testing service.

15 (3) To qualify for a credential as a certified  
16 residential real property appraiser, a licensed residential real  
17 property appraiser shall:

18 (a) Meet the postsecondary educational requirements  
19 pursuant to subdivision (1)(b) and (c) of section 76-2231.01;

20 (b) Successfully complete and pass examination for  
21 no fewer than fifty additional class hours in board-approved  
22 qualifying education courses as prescribed by rule or regulation  
23 of the board, or hold a bachelor's degree in real estate from  
24 an accredited degree-awarding college or university pursuant to  
25 subdivision (1)(d)(ii) of section 76-2231.01; and

26 (c) Meet the experience requirements pursuant to  
27 subdivision (1)(e) of section 76-2231.01.

1           (4) To qualify for a credential as a certified general  
2 real property appraiser, a licensed residential real property  
3 appraiser shall:

4           (a) Meet the postsecondary educational requirements  
5 pursuant to subdivision (1)(b) and (c) of section 76-2232;

6           (b) Successfully complete and pass examination for  
7 no fewer than one hundred fifty additional class hours in  
8 board-approved qualifying education courses as prescribed by rule  
9 or regulation of the board, or hold a bachelor's degree in real  
10 estate from an accredited degree-awarding college or university  
11 pursuant to subdivision (1)(d)(ii) of section 76-2232; and

12           (c) Meet the experience requirements pursuant to  
13 subdivision (1)(e) of section 76-2232.

14           (5) An appraiser holding a valid licensed residential  
15 real property appraiser credential shall satisfy the requirements  
16 for the trainee real property appraiser credential for a downgraded  
17 credential.

18           (6) The scope of practice for a licensed residential real  
19 property appraiser shall be limited to the appraisal of, and review  
20 of appraisal of, noncomplex residential real property having no  
21 more than four units, if any, with a transaction value of less than  
22 one million dollars and complex residential real property having  
23 no more than four units, with a transaction value of less than  
24 two hundred fifty thousand dollars. The appraisal of subdivisions  
25 for which a development analysis or appraisal is necessary is not  
26 included in the scope of practice for a licensed residential real  
27 property appraiser.

1           Sec. 18. Section 76-2231.01, Revised Statutes Cumulative  
2 Supplement, 2012, is amended to read:

3           76-2231.01 ~~(1) To qualify for a credential as a certified~~  
4 ~~residential real property appraiser, an applicant shall:~~

5           ~~(a) Be at least nineteen years of age;~~

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

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

17           ~~(c) Have successfully completed no fewer than two hundred~~  
18 ~~class hours, which may include the class hours set forth in~~  
19 ~~sections 76-2229.01 and 76-2230, in board-approved courses of study~~  
20 ~~which relate to appraisal and which include completion of the~~  
21 ~~fifteen-hour National Uniform Standards of Professional Appraisal~~  
22 ~~Practice Course as approved by the Appraiser Qualifications Board~~  
23 ~~as of January 1, 2012, or the equivalent of the course as~~  
24 ~~approved by the Real Property Appraiser Board. The fifteen-hour~~  
25 ~~course shall be taught by a Uniform Standards of Professional~~  
26 ~~Appraisal Practice Instructor who is certified by the Appraiser~~  
27 ~~Qualifications Board and who is a state-certified appraiser in~~

1 good standing. The courses of study shall be conducted by  
2 an accredited, degree-awarding university, college, or community  
3 college, an appraisal society, institute, or association, a state  
4 or federal agency or commission, a proprietary school, or such  
5 other educational provider as may be approved by the Real Property  
6 Appraiser Board and shall be, at a minimum, fifteen class hours  
7 in length. Each course shall include a closed-book examination  
8 pertinent to the material presented;

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

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

27 (i) Knowledge of technical terms commonly used in or

1 related to appraisal and the writing of appraisal reports;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1 ~~school, or such other educational provider as may be approved~~  
2 ~~by the Real Property Appraiser Board. Credit may be granted for~~  
3 ~~educational offerings and for participation other than as a student~~  
4 ~~as approved by the board.~~

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

9 (1) To qualify for a credential as a certified  
10 residential real property appraiser, an applicant shall:

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

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

14 (c) Have his or her education evaluated for equivalency  
15 by one of the following if the college degree is from a foreign  
16 country:

17 (i) An accredited degree-awarding college or university;

18 (ii) The American Association of Collegiate Registrars  
19 and Admissions Officers;

20 (iii) A foreign degree credential evaluation service  
21 company that is a member of the National Association of Credential  
22 Evaluation Services; or

23 (iv) A foreign degree credential evaluation service  
24 company that provides equivalency evaluation reports accepted by an  
25 accredited degree-awarding college or university;

26 (d) (i) Have successfully completed and passed examination  
27 for no fewer than two hundred class hours in Real Property



1 Appraiser Board-approved qualifying education courses as prescribed  
2 by rule or regulation of the Real Property Appraiser Board  
3 and completed the fifteen-hour National Uniform Standards  
4 of Professional Appraisal Practice Course. The fifteen-hour  
5 course shall be taught by a Uniform Standards of Professional  
6 Appraisal Practice Instructor who is certified by the Appraiser  
7 Qualifications Board and who is a state-certified appraiser in  
8 good standing. The qualifying education courses shall be conducted  
9 by an accredited degree-awarding community college, college, or  
10 university, an appraisal society, institute, or association, a  
11 state or federal agency or commission, a proprietary school, or  
12 such other educational provider as may be approved by the Real  
13 Property Appraiser Board, and shall be, at a minimum, fifteen class  
14 hours in length. Each course shall be conducted in a classroom  
15 and not online or by correspondence. Each course shall include a  
16 closed-book examination pertinent to the material presented; or

17 (ii) Hold a bachelor's degree or higher in real estate  
18 from an accredited degree-awarding college or university that has  
19 had all or part of its curriculum approved by the Appraiser  
20 Qualifications Board as required core curriculum. If the degree  
21 in real estate as approved by the Appraiser Qualifications  
22 Board does not satisfy all required qualifying education for  
23 credentialing, the remaining class hours shall be completed in Real  
24 Property Appraiser Board-approved qualifying education pursuant to  
25 subdivision (d)(i) of this subsection;

26 (e) Have no fewer than two thousand five hundred hours of  
27 experience as prescribed by rule or regulation of the Real Property

1 Appraiser Board. The required experience shall be acceptable to  
2 the Real Property Appraiser Board and subject to review and  
3 determination as to conformity with the Uniform Standards of  
4 Professional Appraisal Practice. The experience shall have occurred  
5 during a period of no fewer than twenty-four months. If requested,  
6 evidence acceptable to the Real Property Appraiser Board concerning  
7 the experience shall be presented by the applicant in the form of  
8 written reports or file memoranda;

9 (f) Certify that he or she has not surrendered an  
10 appraiser credential, or any other registration, license, or  
11 certification, held for any other regulatory agency or in any  
12 other jurisdiction, in lieu of disciplinary action pending or  
13 threatened within the five-year period immediately preceding the  
14 date of application;

15 (g) Certify that his or her appraiser credential, or  
16 any other registration, license, or certification, held for any  
17 other regulatory agency or in any other jurisdiction, has not  
18 been revoked or suspended within the five-year period immediately  
19 preceding the date of application;

20 (h) Not have been convicted of, including a conviction  
21 based upon a plea of guilty or nolo contendere;

22 (i) Any felony or, if so convicted, has had his or her  
23 civil rights restored;

24 (ii) Any crime of fraud, dishonesty, breach of trust,  
25 money laundering, misrepresentation, or deceit involving real  
26 estate, financial services, or in the making of an appraisal  
27 within the five-year period immediately preceding the date of

1 application; or

2 (iii) A crime which is related to the qualifications,  
3 functions, or duties of a real property appraiser within the  
4 five-year period immediately preceding the date of application;

5 (i) Certify that no civil judicial actions, including  
6 dismissal with settlement, in connection with real estate,  
7 financial services, or in the making of an appraisal have been  
8 brought against him or her within the five-year period immediately  
9 preceding the date of application;

10 (j) Demonstrate character and general fitness such as to  
11 command the confidence and trust of the public;

12 (k) Submit two copies of legible ink-rolled fingerprint  
13 cards or equivalent electronic fingerprint submissions to the  
14 Real Property Appraiser Board for delivery to the Nebraska State  
15 Patrol in a form approved by both the Nebraska State Patrol and  
16 the Federal Bureau of Investigation. A fingerprint-based national  
17 criminal history record check shall be conducted through the  
18 Nebraska State Patrol and the Federal Bureau of Investigation with  
19 such record check to be carried out by the Real Property Appraiser  
20 Board; and

21 (l) Within the twelve months following approval of  
22 the applicant's education and experience by the Real Property  
23 Appraiser Board, pass a certified residential real property  
24 appraiser examination or certified general real property appraiser  
25 examination, approved by the Appraiser Qualifications Board,  
26 prescribed by rule or regulation of the Real Property Appraiser  
27 Board, and administered by a contracted testing service.

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

4           (a) Submit two copies of legible ink-rolled fingerprint  
5 cards or equivalent electronic fingerprint submissions to the  
6 Real Property Appraiser Board for delivery to the Nebraska State  
7 Patrol in a form approved by both the Nebraska State Patrol and  
8 the Federal Bureau of Investigation. A fingerprint-based national  
9 criminal history record check shall be conducted through the  
10 Nebraska State Patrol and the Federal Bureau of Investigation with  
11 such record check to be carried out by the Real Property Appraiser  
12 Board; and

13           (b) Within the twelve months following approval of the  
14 applicant's education and experience by the Real Property Appraiser  
15 Board for an upgrade to a certified general real property  
16 appraiser credential, pass a certified general real property  
17 appraiser examination approved by the Appraiser Qualifications  
18 Board, prescribed by rule or regulation of the Real Property  
19 Appraiser Board, and administered by a contracted testing service.

20           (3) To qualify for a credential as a certified general  
21 real property appraiser, a certified residential real property  
22 appraiser shall:

23           (a) Meet the postsecondary educational requirements  
24 pursuant to subdivision (1)(b) and (c) of section 76-2232;

25           (b) Successfully complete and pass examination for no  
26 fewer than one hundred additional class hours in board-approved  
27 qualifying education courses as prescribed by rule or regulation

1 of the board, or hold a bachelor's degree in real estate from  
2 an accredited degree-awarding college or university pursuant to  
3 subdivision (1)(d)(ii) of section 76-2232; and

4 (c) Meet the experience requirements pursuant to  
5 subdivision (1)(e) of section 76-2232.

6 (4) An appraiser holding a valid certified residential  
7 real property appraiser credential shall satisfy the requirements  
8 for the trainee real property appraiser credential and licensed  
9 residential real property appraiser credential for a downgraded  
10 credential. If requested, evidence acceptable to the Real Property  
11 Appraiser Board concerning the experience shall be presented along  
12 with an application in the form of written reports or file  
13 memoranda.

14 (5) The scope of practice for a certified residential  
15 real property appraiser shall be limited to the appraisal of, and  
16 review of appraisal of, residential property having no more than  
17 four residential units, without regard to transaction value or  
18 complexity. The appraisal of subdivisions for which a development  
19 analysis or appraisal is necessary, is not included in the scope of  
20 practice for a certified residential real property appraiser.

21 Sec. 19. Section 76-2232, Revised Statutes Cumulative  
22 Supplement, 2012, is amended to read:

23 76-2232 ~~(1) To qualify for a credential as a certified~~  
24 ~~general real property appraiser, an applicant shall:~~

25 ~~(a) Be at least nineteen years of age;~~

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

1           (ii) Have successfully completed, as verified by the  
2 board, thirty semester hours of coursework or its equivalent from  
3 an accredited, degree-awarding university or college that shall  
4 have included English composition, macroeconomics, microeconomics,  
5 finance, algebra, geometry, or higher mathematics, statistics,  
6 introduction to computers, including word processing and spread  
7 sheets, business or real estate law, and two elective courses in  
8 accounting, geography, agricultural economics, business management,  
9 or real estate.

10           (c) Have successfully completed no fewer than three  
11 hundred class hours, which may include the class hours set forth  
12 in sections 76-2229.01, 76-2230, and 76-2231.01, in board-approved  
13 courses of study which relate to appraisal and which include  
14 completion of the fifteen-hour National Uniform Standards of  
15 Professional Appraisal Practice Course as approved by the Appraiser  
16 Qualifications Board as of January 1, 2012, or the equivalent  
17 of the course as approved by the Real Property Appraiser Board.  
18 The fifteen-hour course shall be taught by a Uniform Standards  
19 of Professional Appraisal Practice Instructor who is certified by  
20 the Appraiser Qualifications Board and who is a state-certified  
21 appraiser in good standing. The courses of study shall be conducted  
22 by an accredited, degree-awarding university, college, or community  
23 college, an appraisal society, institute, or association, a state  
24 or federal agency or commission, a proprietary school, or such  
25 other educational provider as may be approved by the Real Property  
26 Appraiser Board and shall be, at a minimum, fifteen class hours  
27 in length. Each course shall include a closed-book examination

1 pertinent to the material presented;

2 (d) Have no fewer than three thousand hours of experience  
3 in any combination of the following: Fee and staff appraisal;  
4 ad valorem tax appraisal; condemnation appraisal; technical  
5 review appraisal; appraisal analysis; real estate consulting;  
6 highest-and-best-use analysis; and feasibility analysis or study.

7 The required experience shall not be limited to the listed items  
8 but shall be acceptable to the board and subject to review and  
9 determination as to conformity with the Uniform Standards of  
10 Professional Appraisal Practice. The experience shall have occurred  
11 during a period of no fewer than thirty months. If requested,  
12 evidence acceptable to the board concerning the experience shall  
13 be presented by the applicant in the form of written reports or  
14 file memoranda;

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

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

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

25 (iii) An understanding of the principles of land  
26 economics, appraisal processes, and problems encountered in the  
27 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) If an applicant is applying for renewal of a~~  
17 ~~credential as a certified general 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~~  
20 ~~two-year continuing education period during which the application~~  
21 ~~is submitted and shall have completed the seven-hour National~~  
22 ~~Uniform Standards of Professional Appraisal Practice Update Course~~  
23 ~~as approved by the Appraiser Qualifications Board as of January~~  
24 ~~1, 2012, or the equivalent of the course as approved by the~~  
25 ~~Real Property Appraiser Board, at a minimum of every two years.~~  
26 ~~The seven-hour course shall be taught by a Uniform Standards of~~  
27 ~~Professional Appraisal Practice Instructor who is certified by~~



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

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

16           (1) To qualify for a credential as a certified general  
17 real property appraiser, an applicant shall:

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

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

21           (c) Have his or her education evaluated for equivalency  
22 by one of the following if the college degree is from a foreign  
23 country:

24           (i) An accredited degree-awarding college or university;

25           (ii) The American Association of Collegiate Registrars  
26 and Admissions Officers;

27           (iii) A foreign degree credential evaluation service

1 company that is a member of the National Association of Credential  
2 Evaluation Services; or

3 (iv) A foreign degree credential evaluation service  
4 company that provides equivalency evaluation reports accepted by an  
5 accredited degree-awarding college or university;

6 (d) (i) Have successfully completed and passed examination  
7 for no fewer than three hundred class hours in Real Property  
8 Appraiser Board-approved qualifying education courses as prescribed  
9 by rule or regulation of the Real Property Appraiser Board  
10 and completed the fifteen-hour National Uniform Standards  
11 of Professional Appraisal Practice Course. The fifteen-hour  
12 course shall be taught by a Uniform Standards of Professional  
13 Appraisal Practice Instructor who is certified by the Appraiser  
14 Qualifications Board and who is a state-certified appraiser in  
15 good standing. The qualifying education courses shall be conducted  
16 by an accredited degree-awarding community college, college, or  
17 university, an appraisal society, institute, or association, a  
18 state or federal agency or commission, a proprietary school, or  
19 such other educational provider as may be approved by the Real  
20 Property Appraiser Board, and shall be, at a minimum, fifteen class  
21 hours in length. Each course shall be conducted in a classroom  
22 and not online or by correspondence. Each course shall include a  
23 closed-book examination pertinent to the material presented; or

24 (ii) Hold a bachelor's degree or higher in real estate  
25 from an accredited degree-awarding college or university that has  
26 had all or part of its curriculum approved by the Appraiser  
27 Qualifications Board as required core curriculum. If the degree

1 in real estate as approved by the Appraiser Qualifications  
2 Board does not satisfy all required qualifying education for  
3 credentialing, the remaining class hours shall be completed in Real  
4 Property Appraiser Board-approved qualifying education pursuant to  
5 subdivision (d)(i) of this subsection;

6 (e) Have no fewer than three thousand hours of  
7 experience, of which one thousand five hundred hours shall be in  
8 nonresidential appraisal work, as prescribed by rule or regulation  
9 of the Real Property Appraiser Board. The required experience shall  
10 be acceptable to the Real Property Appraiser Board and subject  
11 to review and determination as to conformity with the Uniform  
12 Standards of Professional Appraisal Practice. The experience shall  
13 have occurred during a period of no fewer than thirty months. If  
14 requested, evidence acceptable to the Real Property Appraiser Board  
15 concerning the experience shall be presented by the applicant in  
16 the form of written reports or file memoranda;

17 (f) Certify that he or she has not surrendered an  
18 appraiser credential, or any other registration, license, or  
19 certification, held for any other regulatory agency or in any  
20 other jurisdiction, in lieu of disciplinary action pending or  
21 threatened within the five-year period immediately preceding the  
22 date of application;

23 (g) Certify that his or her appraiser credential, or  
24 any other registration, license, or certification, held for any  
25 other regulatory agency or in any other jurisdiction, has not  
26 been revoked or suspended within the five-year period immediately  
27 preceding the date of application;

1           (h) Not have been convicted of, including a conviction  
2 based upon a plea of guilty or nolo contendere:

3           (i) Any felony or, if so convicted, has had his or her  
4 civil rights restored;

5           (ii) Any crime of fraud, dishonesty, breach of trust,  
6 money laundering, misrepresentation, or deceit involving real  
7 estate, financial services, or in the making of an appraisal  
8 within the five-year period immediately preceding the date of  
9 application; or

10           (iii) A crime which is related to the qualifications,  
11 functions, or duties of a real property appraiser within the  
12 five-year period immediately preceding the date of application.

13           (i) Certify that no civil judicial actions, including  
14 dismissal with settlement, in connection with real estate,  
15 financial services, or in the making of an appraisal have been  
16 brought against him or her within the five-year period immediately  
17 preceding the date of application;

18           (j) Demonstrate character and general fitness such as to  
19 command the confidence and trust of the public;

20           (k) Submit two copies of legible ink-rolled fingerprint  
21 cards or equivalent electronic fingerprint submissions to the  
22 Real Property Appraiser Board for delivery to the Nebraska State  
23 Patrol in a form approved by both the Nebraska State Patrol and  
24 the Federal Bureau of Investigation. A fingerprint-based national  
25 criminal history record check shall be conducted through the  
26 Nebraska State Patrol and the Federal Bureau of Investigation with  
27 such record check to be carried out by the Real Property Appraiser

1 Board; and

2 (1) Within the twelve months following approval of  
3 the applicant's education and experience by the Real Property  
4 Appraiser Board, pass a certified general real property appraiser  
5 examination, approved by the Appraiser Qualifications Board,  
6 prescribed by rule or regulation of the Real Property Appraiser  
7 Board, and administered by a contracted testing service.

8 (2) An appraiser holding a valid certified general  
9 real property appraiser credential shall satisfy the requirements  
10 for the trainee real property appraiser credential, licensed  
11 residential real property appraiser credential, and certified  
12 residential real property appraiser credential for a downgraded  
13 credential. If requested, evidence acceptable to the Real Property  
14 Appraiser Board concerning the experience shall be presented along  
15 with an application in the form of written reports or file  
16 memoranda.

17 (3) The scope of practice for the certified general real  
18 property appraiser is the appraisal of all types of real property  
19 that appraiser is competent to appraise.

20 Sec. 20. Section 76-2233, Revised Statutes Cumulative  
21 Supplement, 2012, is amended to read:

22 76-2233 ~~(1)~~ A nonresident of this state may obtain a  
23 credential as a licensed residential real property appraiser, a  
24 certified residential real property appraiser, or a certified  
25 general real property appraiser by ~~(a)~~ complying with all of  
26 the provisions of the Real Property Appraiser Act relating to  
27 the appropriate classification of credentialing, ~~(b)~~ submitting an

1 application on a form approved by the board, and ~~(c)~~ submitting an  
2 irrevocable consent that service of process upon him or her may be  
3 made by delivery of the process to the director of the board if the  
4 plaintiff cannot, in the exercise of due diligence, effect personal  
5 service upon the applicant in an action against the applicant in a  
6 court of this state arising out of the applicant's activities in  
7 this state.

8           ~~(2)~~ If, in the determination of the board, another  
9 state or territory or the District of Columbia has substantially  
10 equivalent requirements to the requirements of this state, an  
11 applicant who is a resident of that state, territory, or district  
12 and is currently credentialed to appraise real estate and real  
13 property under the laws of that state, territory, or district may  
14 through reciprocity become credentialed under the act. To qualify  
15 for reciprocal credentialing, the applicant shall:

16           ~~(a)~~ Submit evidence that he or she is currently a  
17 resident of the state, territory, or District of Columbia in which  
18 he or she is credentialed to appraise real estate and real property  
19 and that such credential is in good standing, along with his or her  
20 social security number and such other information as the board may  
21 require;

22           ~~(b)~~ Certify that disciplinary proceedings are not pending  
23 against him or her or state the nature of any pending disciplinary  
24 proceedings;

25           ~~(c)~~ Submit an irrevocable consent that service of process  
26 upon him or her may be made by delivery of the process to the  
27 director of the board if the plaintiff cannot, in the exercise of

1 ~~due diligence, effect personal service upon the applicant in an~~  
2 ~~action against the applicant in a court of this state arising out~~  
3 ~~of the applicant's activities as a real property appraiser in this~~  
4 ~~state;~~

5 ~~(d) Pay fees as established in section 76-2241; and~~  
6 ~~(e) Comply with such other terms and conditions as may be~~  
7 ~~determined by the board.~~

8 (1) An individual currently credentialed to appraise real  
9 estate and real property under the laws of another jurisdiction  
10 may obtain a credential as a licensed residential real property  
11 appraiser, a certified residential real property appraiser, or a  
12 certified general real property appraiser by complying with all of  
13 the provisions of the Real Property Appraiser Act relating to the  
14 appropriate classification of credentialing.

15 (2) If, in the determination of the board, the  
16 applicant's jurisdiction of practice specified in an application  
17 for credentialing meets or exceeds the requirements of this state,  
18 and that jurisdiction is determined to be in compliance with Title  
19 XI of the Financial Institutions Reform, Recovery, and Enforcement  
20 Act of 1989, an applicant of such jurisdiction may, through  
21 reciprocity, become credentialed under the Real Property Appraiser  
22 Act.

23 (3) To qualify for reciprocal credentialing, the  
24 applicant shall:

25 (a) Submit evidence of experience as prescribed by rule  
26 or regulation of the board. The experience shall be acceptable to  
27 the board and subject to review and determination as to conformity

1 with the Uniform Standards of Professional Appraisal Practice.  
2 If requested, evidence acceptable to the board concerning the  
3 experience shall be presented by the applicant in the form of  
4 written reports or file memoranda;

5 (b) Certify that disciplinary proceedings are not pending  
6 against him or her in any jurisdiction or state the nature of any  
7 pending disciplinary proceedings;

8 (c) Certify that he or she has not surrendered an  
9 appraiser credential, or any other registration, license, or  
10 certification, held by any other regulatory agency or in any  
11 other jurisdiction, in lieu of disciplinary action pending or  
12 threatened within the five-year period immediately preceding the  
13 date of application;

14 (d) Certify that his or her appraiser credential, or  
15 any other registration, license, or certification, held by any  
16 other regulatory agency or in any other jurisdiction, has not  
17 been revoked or suspended within the five-year period immediately  
18 preceding the date of application;

19 (e) Not have been convicted of, including a conviction  
20 based upon a plea of guilty or nolo contendere:

21 (i) Any felony or, if so convicted, has had his or her  
22 civil rights restored;

23 (ii) Any crime of fraud, dishonesty, breach of trust,  
24 money laundering, misrepresentation, or deceit involving real  
25 estate, financial services, or in the making of an appraisal  
26 within the five-year period immediately preceding the date of  
27 application; or



1           (iii) A crime which is related to the qualifications,  
2 functions, or duties of a real property appraiser within the  
3 five-year period immediately preceding the date of application;

4           (f) Certify that no civil judicial actions, including  
5 dismissal with settlement, in connection with real estate,  
6 financial services, or in the making of an appraisal have been  
7 brought against him or her within the five-year period immediately  
8 preceding the date of application;

9           (g) Demonstrate character and general fitness such as to  
10 command the confidence and trust of the public;

11           (h) Submit two copies of legible ink-rolled fingerprint  
12 cards or equivalent electronic fingerprint submissions to the board  
13 for delivery to the Nebraska State Patrol in a form approved  
14 by both the Nebraska State Patrol and the Federal Bureau of  
15 Investigation. A fingerprint-based national criminal history record  
16 check shall be conducted through the Nebraska State Patrol and  
17 the Federal Bureau of Investigation with such record check to be  
18 carried out by the board;

19           (i) Submit an irrevocable consent that service of process  
20 upon him or her may be made by delivery of the process to the  
21 director of the board if the plaintiff cannot, in the exercise of  
22 due diligence, effect personal service upon the applicant in an  
23 action against the applicant in a court of this state arising out  
24 of the applicant's activities as a real property appraiser in this  
25 state; and

26           (j) Comply with such other terms and conditions as may be  
27 determined by the board.

1           (4) The credential status of an applicant under this  
2 section, including current standing and any disciplinary action  
3 imposed against his or her credentials, shall be verified through  
4 the National Registry of the Appraisal Subcommittee of the Federal  
5 Financial Institutions Examination Council.

6           Sec. 21. Section 76-2233.02, Revised Statutes Cumulative  
7 Supplement, 2012, is amended to read:

8           76-2233.02 (1) A credential issued under the Real  
9 Property Appraiser Act other than a temporary credential shall  
10 remain in effect until December 31 of the designated year unless  
11 surrendered, revoked, suspended, or canceled prior to such date.  
12 To renew a valid credential, the credential holder shall file an  
13 application on a form approved by the board and pay the prescribed  
14 renewal fee and a criminal history record check fee for maintenance  
15 of the random fingerprint audit program to the board not later  
16 than November 30 of the designated year. In every second year of  
17 renewal, as specified in section 76-2236, evidence of completion  
18 of continuing education requirements shall accompany renewal  
19 application or be on file with the board prior to renewal.

20           (2) The board shall establish a number of credential  
21 holders to be selected at random to submit, along with the  
22 application for renewal, two copies of legible ink-rolled  
23 fingerprint cards or equivalent electronic fingerprint submissions  
24 to the board for delivery to the Nebraska State Patrol in a form  
25 approved by both the Nebraska State Patrol and the Federal Bureau  
26 of Investigation. A fingerprint-based national criminal history  
27 record check shall be conducted through the Nebraska State Patrol

1 and the Federal Bureau of Investigation with such record check to  
2 be carried out by the board.

3           (3) If a credential holder fails to apply and meet the  
4 requirements for renewal by November 30 of the designated year,  
5 such credential holder may obtain a renewal of such credential  
6 by satisfying all of the requirements for renewal and paying a  
7 late ~~renewal~~ processing fee if such late renewal takes place prior  
8 to July 1 of the following year. A credential holder selected  
9 at random to submit fingerprint cards or equivalent electronic  
10 fingerprints that has applied and met all other requirements for  
11 renewal prior to November 30 of the designated year shall not  
12 pay a late processing fee if fingerprint cards or equivalent  
13 electronic fingerprints are received prior to November 30 of the  
14 designated year. The board may refuse to renew any credential  
15 if the credential holder has continued to perform real property  
16 appraisal activities or other related activities in this state  
17 following the expiration of his or her credential.

18           Sec. 22. Section 76-2236, Revised Statutes Cumulative  
19 Supplement, 2012, is amended to read:

20           76-2236 (1) Every credential holder shall furnish  
21 evidence to the board that he or she has satisfactorily completed  
22 no fewer than twenty-eight hours of approved continuing education  
23 activities in each two-year continuing education period. Hours of  
24 satisfactorily completed approved continuing education activities  
25 cannot be carried over from one two-year continuing education  
26 period to another.

27           (2) No more than fourteen hours of approved continuing

1 education activities in each two-year continuing education period  
2 shall be taken online or by correspondence. All online courses  
3 shall conform to the Appraiser Qualifications Board's criteria.

4       (3) As prescribed by rule or regulation of the ~~board~~  
5 Real Property Appraiser Board and at least once every two years,  
6 the seven-hour National Uniform Standards of Professional Appraisal  
7 Practice Update Course as approved by the Appraiser Qualifications  
8 Board as of January 1, 2012, 2014, or the equivalent of the course  
9 as approved by the Real Property Appraiser Board, shall be included  
10 in the continuing education requirement of each credential holder.

11       (4) As prescribed by rule or regulation of the Real  
12 Property Appraiser Board ~~board~~ and at least once every four years,  
13 a seven-hour report writing update course shall be included in the  
14 continuing education requirement of each credential holder.

15       (5) No more than fourteen hours may be approved by the  
16 board as continuing education in each two-year continuing education  
17 period for participation, other than as a student, in appraisal  
18 educational processes and programs, which includes teaching,  
19 program development, authorship of textbooks, or similar activities  
20 that are determined by the board to be equivalent to obtaining  
21 continuing education. Evidence of participation shall be submitted  
22 to the board upon completion of appraisal educational process  
23 or program. No preapproval will be granted for participation in  
24 appraisal educational processes or programs.

25       (6) Qualifying education, as approved by the board,  
26 successfully completed by a credential holder to fulfill the  
27 class-hour requirement to upgrade to a higher classification than

1 his or her current classification, shall be approved by the board  
2 as continuing education.

3 (7) Qualifying education, as approved by the board, taken  
4 by a credential holder not to fulfill the class-hour requirement  
5 to upgrade to a higher classification, shall be approved by the  
6 board as continuing education if the credential holder completes  
7 the examination.

8 (8) A board-approved seven-hour supervisory appraiser and  
9 trainee course successfully completed by a certified real property  
10 appraiser for approval as a supervisory appraiser shall be approved  
11 by the board as continuing education no more than once during each  
12 two-year continuing education period.

13 (9) The Real Property Appraiser Board shall approve  
14 continuing education activities which it determines would protect  
15 the public by improving the competency of credential holders.  
16 Evidence of completion of such continuing education activities for  
17 the two-year continuing education period may be submitted to the  
18 board as each activity is completed. A person who holds a temporary  
19 or reciprocal credential shall not have to meet any continuing  
20 education requirements in this state.

21 Sec. 23. Section 76-2238, Revised Statutes Cumulative  
22 Supplement, 2012, is amended to read:

23 76-2238 The following acts and omissions shall be  
24 considered grounds for disciplinary action or denial of an  
25 application by the board:

26 (1) Failing to meet the minimum qualifications for  
27 credentialing established by or pursuant to the Real Property

1 Appraiser Act;

2 (2) Procuring or attempting to procure a credential  
3 under the act by knowingly making a false statement, submitting  
4 false information, or making a material misrepresentation in an  
5 application filed with the board or procuring or attempting to  
6 procure a credential through fraud or misrepresentation;

7 (3) Paying money or other valuable consideration other  
8 than the fees provided for by the act to any member or employee of  
9 the board to procure a credential;

10 (4) An act or omission involving real estate or appraisal  
11 practice which constitutes dishonesty, fraud, or misrepresentation  
12 with or without the intent to substantially benefit the credential  
13 holder or another person or with the intent to substantially injure  
14 another person;

15 (5) Failing to demonstrate character and general fitness  
16 such as to command the confidence and trust of the public;

17 (6) Conviction, including a conviction based upon a plea  
18 of guilty or nolo contendere, of any felony unless his or her civil  
19 rights have been restored;

20 ~~(5)~~ (7) Entry of a final civil or criminal judgment  
21 against a credential holder, including dismissal with settlement,  
22 on grounds of fraud, dishonesty, breach of trust, money laundering,  
23 misrepresentation, or deceit involving real estate, financial  
24 services, or in the making of an appraisal;

25 ~~(6)~~ (8) Conviction, including a conviction based upon a  
26 plea of guilty or nolo contendere, of a crime which is related  
27 to the qualifications, functions, or duties of a real property

1 appraiser;

2 ~~(7)~~ (9) Engaging in the business of real property  
3 appraising under an assumed or fictitious name;

4 ~~(8)~~ (10) Paying a finder's fee or a referral fee to  
5 any person in connection with the appraisal of real estate or  
6 real property, except that an intracompany payment for business  
7 development shall not be considered to be unethical or a violation  
8 of this subdivision;

9 ~~(9)~~ (11) Making a false or misleading statement in that  
10 portion of a written appraisal report that deals with professional  
11 qualifications or in any testimony concerning professional  
12 qualifications;

13 ~~(10)~~ (12) Any violation of the act or any rule or  
14 regulation adopted and promulgated pursuant to the act;

15 ~~(11)~~ (13) Violation of the confidential nature of any  
16 information to which a credential holder gained access through  
17 employment for evaluation assignments or valuation assignments;

18 ~~(12)~~ (14) Acceptance of a fee for performing a real  
19 property appraisal valuation assignment or evaluation assignment  
20 when the fee is or was contingent upon (a) the real property  
21 appraiser reporting a predetermined analysis, opinion, or  
22 conclusion, (b) the analysis, opinion, conclusion, or valuation  
23 reached, or (c) the consequences resulting from the appraisal;

24 ~~(13)~~ (15) Failure or refusal to exercise reasonable  
25 diligence in developing an appraisal, preparing an appraisal  
26 report, or communicating an appraisal;

27 ~~(14)~~ (16) Negligence or incompetence in developing an

1 appraisal, preparing an appraisal report, or communicating an  
2 appraisal, including failure to follow the standards and ethical  
3 rules adopted by the board;

4 ~~(15)~~ (17) Failure to maintain, or to make available for  
5 inspection and copying, records required by the board;

6 ~~(16)~~ (18) Demonstrating negligence, incompetence, or  
7 unworthiness to act as an appraiser, whether of the same or  
8 of a different character as otherwise specified in this section;

9 ~~(17)~~ (19) Suspension or revocation of an appraisal  
10 credential or a license in another regulated occupation, trade,  
11 or profession in this or any other jurisdiction;

12 ~~(18)~~ (20) Failure to comply with terms of a consent  
13 agreement or settlement agreement;

14 ~~(19)~~ (21) Failure to submit or produce books, records,  
15 documents, work files, appraisal reports, or other materials  
16 requested by the board concerning any matter under investigation;

17 ~~(20)~~ (22) Failure of an educational provider to produce  
18 records, documents, reports, or other materials, including, but not  
19 limited to, required student attendance reports, to the board;

20 ~~(21)~~ (23) Presentation to the board of any check which is  
21 returned to the State Treasurer unpaid, whether payment of fee is  
22 for an initial or renewal credential or for examination; and

23 ~~(22)~~ (24) Failure to pass the examination.

24 Sec. 24. Section 76-2241, Revised Statutes Cumulative  
25 Supplement, 2012, is amended to read:

26 76-2241 The board shall charge and collect appropriate  
27 fees for its services under the Real Property Appraiser Act as



1 follows:

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

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

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

8 (4) A late ~~renewal~~ processing fee of twenty-five dollars  
9 for each month or portion of a month the fee is late;

10 (5) A temporary credential application fee for a licensed  
11 residential real property appraiser, a certified residential real  
12 property appraiser, or a certified general real property appraiser  
13 of no more than one hundred dollars; ~~and~~

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

19 (7) A criminal history record check fee of no more than  
20 one hundred dollars.

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

23 In addition to the fees set forth in this section, the  
24 board may collect and transmit to the appropriate federal authority  
25 any fees established under the provisions of the Financial  
26 Institutions Reform, Recovery, and Enforcement Act of 1989. 7  
27 ~~as the act existed on January 1, 2012.~~ The board may establish

1 such fees as it deems appropriate for special examinations and  
2 other services provided by the board. All fees and other revenue  
3 collected pursuant to the Real Property Appraiser Act shall be  
4 remitted by the board to the State Treasurer for credit to the Real  
5 Property Appraiser Fund.

6 Sec. 25. Section 76-2249, Revised Statutes Cumulative  
7 Supplement, 2012, is amended to read:

8 76-2249 (1) The board may prepare a printed directory  
9 showing the name and place of business of credential holders  
10 under the Real Property Appraiser Act. Copies of the directory  
11 shall be made available to the public at such reasonable price  
12 per copy as may be fixed by the board and shall be provided  
13 to federal authorities as required by the Financial Institutions  
14 Reform, Recovery, and Enforcement Act of 1989, ~~as the act existed~~  
15 ~~on January 1, 2012.~~

16 (2) The board shall provide without charge to any  
17 credential holder under the ~~act~~ Real Property Appraiser Act a  
18 set of rules and regulations adopted and promulgated by the board  
19 and any other information which the board deems important in the  
20 area of real property appraisal in the State of Nebraska. The  
21 information may be printed in a booklet, a pamphlet, or any other  
22 form the board determines appropriate. The board may update such  
23 material as often as it deems necessary. The board may provide such  
24 material to any other person upon request and may charge a fee  
25 for the material. The fee shall be reasonable and shall not exceed  
26 any reasonable or necessary costs of producing the material for  
27 distribution.

1           Sec. 26. Sections 15, 16, 17, 18, 19, 20, and 27 of this  
2 act become operative on January 1, 2015. The other sections of this  
3 act become operative on their effective date.

4           Sec. 27. Original sections 76-2228.01, 76-2230,  
5 76-2231.01, 76-2232, and 76-2233, Revised Statutes Cumulative  
6 Supplement, 2012, are repealed.

7           Sec. 28. Original sections 76-2201, 76-2203, 76-2217.02,  
8 and 76-2227, Reissue Revised Statutes of Nebraska, and sections  
9 76-2202, 76-2213.01, 76-2223, 76-2233.02, 76-2236, 76-2238,  
10 76-2241, and 76-2249, Revised Statutes Cumulative Supplement, 2012,  
11 are repealed.

12           Sec. 29. Since an emergency exists, this act takes effect  
13 when passed and approved according to law.

14           2. On page 1, line 4, strike "76-2229.01,"; and in line  
15 10 strike beginning with "and" through the period and insert "to  
16 provide operative dates; to repeal the original sections; and to  
17 declare an emergency."