

AMENDMENTS TO LB454

Introduced by Banking, Commerce and Insurance.

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

3           Section 1. Section 81-885.13, Revised Statutes Cumulative  
4 Supplement, 2018, is amended to read:

5           81-885.13 (1)(a) ~~(1)~~ No broker's or salesperson's license shall be  
6 issued to any person who has not attained the age of nineteen years.

7           (b) No broker's or salesperson's license shall be issued to any  
8 person who is not a graduate of a public or private high school graduate  
9 or the holder of a certificate of high school equivalency. This  
10 subdivision does not apply to: (i) A person who is a graduate of a school  
11 exempt from the State Department of Education requirements under section  
12 79-1601 or an equivalent exempt school or home school program from  
13 another jurisdiction; or (ii) a person who has completed a program of  
14 education acceptable to the commission.

15           (2) Each applicant for a salesperson's license shall furnish  
16 evidence that he or she has completed two courses in real estate  
17 subjects, approved by the commission, composed of not less than sixty  
18 class hours of study or, in lieu thereof, courses delivered in a distance  
19 education format approved by the commission.

20           (3) Each applicant for a broker's license shall either (a) have  
21 first served actively for two years as a licensed salesperson or broker  
22 and shall furnish evidence of completion of sixty class hours in addition  
23 to the hours required by subsection (2) of this section in a course of  
24 study approved by the commission or, in lieu thereof, courses delivered  
25 in a distance education format approved by the commission, or (b) furnish  
26 a certificate that he or she has passed a course of at least eighteen  
27 credit hours in subjects related to real estate at an accredited

1 university or college, or completed six courses in real estate subjects  
2 composed of not less than one hundred eighty class hours in a course of  
3 study approved by the commission or, in lieu thereof, courses delivered  
4 in a distance education format approved by the commission.

5 (4) Each applicant for a broker's license must pass a written  
6 examination covering generally the matters confronting real estate  
7 brokers, and each applicant for a salesperson's license must pass a  
8 written examination covering generally the matters confronting real  
9 estate salespersons. Such examination may be taken before the commission  
10 or any person designated by the commission. Failure to pass the  
11 examination shall be grounds for denial of a license without further  
12 hearing. Within thirty days after passing the examination the applicant  
13 must complete all requirements necessary for the issuance of a license.  
14 The commission may prepare and distribute to licensees under the Nebraska  
15 Real Estate License Act informational material deemed of assistance in  
16 the conduct of their business.

17 (5) An applicant for an original broker's or salesperson's license  
18 shall be subject to fingerprinting and a check of his or her criminal  
19 history record information maintained by the Federal Bureau of  
20 Investigation through the Nebraska State Patrol. After filing application  
21 for a license, each applicant shall furnish directly to the Nebraska  
22 State Patrol, or to a fingerprint processing service that may be selected  
23 by the commission for this purpose, a full set of fingerprints to enable  
24 a criminal background investigation to be conducted. The applicant shall  
25 request that the Nebraska State Patrol submit the fingerprints to the  
26 Federal Bureau of Investigation for a national criminal history record  
27 check. The applicant shall pay the actual cost, if any, of the  
28 fingerprinting and check of his or her criminal history record  
29 information. The applicant shall authorize release of the national  
30 criminal history record check to the commission.

31 (6) Courses of study, referred to in subsections (2) and (3) of this

1 section, shall include courses offered by private proprietary real estate  
2 schools when such courses are prescribed by the commission and are taught  
3 by instructors approved by the commission. The commission shall monitor  
4 schools offering approved real estate courses and for good cause shall  
5 have authority to suspend or withdraw approval of such courses or  
6 instructors.

7 Sec. 2. Original section 81-885.13, Revised Statutes Cumulative  
8 Supplement, 2018, is repealed.