

LEGISLATURE OF NEBRASKA
ONE HUNDRED THIRD LEGISLATURE
SECOND SESSION
LEGISLATIVE BILL

Introduced by
Read first time
Committee:

A BILL

1 FOR AN ACT relating to real property appraisal; to amend sections
2 76-2201, 76-2203, 76-2217.02, and 76-2227, Reissue
3 Revised Statutes of Nebraska, and sections 76-2202,
4 76-2213.01, 76-2216, 76-2223, 76-2228.01, 76-2229.01,
5 76-2230, 76-2231.01, 76-2232, 76-2233, 76-2233.02,
6 76-2236, 76-2238, 76-2241, and 76-2249, Revised Statutes
7 Cumulative Supplement, 2012; to change provisions
8 relating to the Real Property Appraiser Act; to define
9 terms; to change provisions relating to professional
10 qualifications; and to repeal the original sections.

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

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

3 76-2201 Sections 76-2201 to 76-2250 and sections 4 to 7,
4 10, 11, and 15 of this act shall be known and may be cited as the
5 Real Property Appraiser Act.

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

8 76-2202 The Legislature finds that as a result of the
9 enactment of the Dodd-Frank Wall Street Reform and Consumer
10 Protection Act, as the act existed on January 1, ~~2012,~~2014, and the
11 Financial Institutions Reform, Recovery, and Enforcement Act of 1989,
12 as the act existed on January 1, ~~2012,~~2014, Nebraska's laws
13 providing for regulation of real property appraisers require
14 restructuring in order to comply with such acts. Compliance with the
15 acts is necessary to ensure an adequate number of appraisers in
16 Nebraska to conduct appraisals of real estate involved in federally
17 related transactions as defined in such acts.

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

20 76-2203 For purposes of the Real Property Appraiser Act,
21 the definitions found in sections 76-2204 to 76-2219 and sections 4
22 to 7, 10, and 11 of this act shall be used.

23 Sec. 4. Accredited degree-awarding community college,
24 college, or university means an institution that is approved or
25 accredited by a regional or national accreditation association or an

1 agency recognized by the United States Secretary of Education.

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

7 Sec. 6. Complex residential property means residential
8 property in which the property to be appraised, the form of
9 ownership, or the market conditions are atypical.

10 Sec. 7. Jurisdiction of practice means any state,
11 territory, or the District of Columbia in which an appraiser devotes
12 his or her time engaged in real property appraisal activity.

13 Sec. 8. Section 76-2213.01, Revised Statutes Cumulative
14 Supplement, 2012, is amended to read:

15 76-2213.01 Uniform Standards of Professional Appraisal
16 Practice means the standards promulgated by the Appraisal Foundation
17 as the standards existed on January 1, ~~2012~~ 2014.

18 Sec. 9. Section 76-2216, Revised Statutes Cumulative
19 Supplement, 2012, is amended to read:

20 76-2216 Real property appraiser means a person: ~~(1) who~~
21 (1) Who engages in real property appraisal activity; ~~7~~
22 ~~(2) who~~

23 (2) Who advertises or holds himself or herself out to the
24 general public as a real property appraiser; or ~~, or (3) who~~

25 (3) Who offers, attempts, or agrees to perform or

1 performs real property appraisal activity. Real property appraiser
2 includes persons defined as real estate appraisers prior to July 14,
3 2006.

4 Sec. 10. 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 an appraisal report.

8 Sec. 11. 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. 12. 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 to
23 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,

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

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

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

13 (e) Collect all fees required or permitted by the act.
14 The Real Property Appraiser Board shall remit all such receipts to
15 the State Treasurer for credit to the Real Property Appraiser Fund.
16 In addition, the board may collect and transmit to the appropriate
17 federal authority any fees established under the Financial
18 Institutions Reform, Recovery, and Enforcement Act of 1989, as the
19 act existed on January 1, ~~2012~~ 2014;

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

23 (g) Issue subpoenas to compel the attendance of witnesses
24 and the production of books, documents, records, and other papers,
25 administer oaths, and take testimony and require submission of and

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

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

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

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

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

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

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

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

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

11 Sec. 13. Section 76-2227, Reissue Revised Statutes of
12 Nebraska, is amended to read:

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

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

21 ~~(2)~~(3) At the time of filing an initial or renewal
22 application for credentials, the applicant shall sign a pledge that
23 he or she has read and will comply with the Uniform Standards of
24 Professional Appraisal Practice. Each applicant shall also certify
25 that he or she understands the types of misconduct for which

1 disciplinary proceedings may be initiated.

2 ~~(3)~~(4) Credentials shall be issued only to persons who
3 have a good reputation for honesty, trustworthiness, integrity, and
4 competence to perform assignments in such manner as to safeguard the
5 interest of the public and only after satisfactory proof of such
6 qualification has been presented to the board upon request and a
7 completed application has been approved.

8 ~~(4)~~(5) No credential shall be issued to a corporation,
9 partnership, limited liability company, firm, or group.

10 Sec. 14. Section 76-2228.01, Revised Statutes Cumulative
11 Supplement, 2012, is amended to read:

12 76-2228.01 (1) To qualify for a credential as a trainee
13 real property appraiser, an applicant shall:

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

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

17 (c)(i) Have successfully completed and passed examination
18 for no fewer than seventy-five class hours in board-approved
19 qualifying education courses of study which relate to appraisal and
20 which include completion of as prescribed by rule or regulation of
21 the board and complete the fifteen-hour National Uniform Standards of
22 Professional Appraisal Practice Course as approved by the Appraiser
23 Qualifications Board as of January 1, ~~2012,~~2014, or the equivalent
24 of the course as approved by the Real Property Appraiser Board. The
25 fifteen-hour course shall be taught by a Uniform Standards of

1 Professional Appraisal Practice Instructor who is certified by the
2 Appraiser Qualifications Board and who is a state-certified appraiser
3 in good standing. The qualifying education courses of study shall be
4 conducted by an accredited, degree-awarding university, college, or
5 community college, college, or university, an appraisal society,
6 institute, or association, a state or federal agency or commission, a
7 proprietary school, or such other educational provider as may be
8 approved by the Real Property Appraiser Board and shall be, at a
9 minimum, fifteen class hours in length. Each course shall be
10 conducted in a classroom and not online or by correspondence. Each
11 course shall include an examination pertinent to the material
12 presented. ~~The applicant shall have completed the class hours within~~
13 ~~the five-year period immediately preceding submission of the~~
14 ~~application and shall have completed the fifteen-hour National~~
15 ~~Uniform Standards of Professional Appraisal Practice Course within~~
16 ~~the two-year~~ Except for the fifteen-hour Uniform Standards of
17 Professional Appraisal Practice course, all class hours shall be
18 completed within the five-year period immediately preceding
19 submission of the application; or

20 (ii) Hold a bachelor's degree or higher in real estate by
21 an accredited degree-awarding college or university that has had all
22 or part of its curriculum approved by the Appraiser Qualifications
23 Board as required core curriculum. If the degree in real estate as
24 approved by the board does not satisfy all required qualifying
25 education for credentialing, the remaining class hours shall be

1 completed in board-approved qualifying education pursuant to
2 subdivision (c)(i) of this section;

3 (d) As prescribed by rule or regulation of the board,
4 successfully complete a board-approved seven-hour supervisory
5 appraiser and trainee course within one year immediately preceding
6 the date of application;

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

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

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

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

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

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

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

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

11 (j) 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 by both
14 the Nebraska State Patrol and the Federal Bureau of Investigation. A
15 fingerprint-based national criminal history record check shall be
16 conducted through the Nebraska State Patrol and the Federal Bureau of
17 Investigation with such record check to be carried out by the board;
18 and

19 (k) Submit a written request for supervisory appraiser
20 approval on a form approved by the board.

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

24 (a) Submit two copies of legible ink-rolled fingerprint
25 cards or equivalent electronic fingerprint submissions to the board

1 for delivery to the Nebraska State Patrol in a form approved by both
2 the Nebraska State Patrol and the Federal Bureau of Investigation. A
3 fingerprint-based national criminal history record check shall be
4 conducted through the Nebraska State Patrol and the Federal Bureau of
5 Investigation with such record check to be carried out by the board;
6 and

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

13 (3) To qualify for a credential as a licensed residential
14 real property appraiser, a trainee real property appraiser shall:

15 (a) Meet the postsecondary educational requirements
16 pursuant to subdivision (1)(b)(i) or (ii) and (1)(c) of section
17 76-2230;

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

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

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

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

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

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

14 (5) To qualify for a credential as a certified general
15 real property appraiser, a trainee real property appraiser shall:

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

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

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

1 (6) The scope of practice for the trainee real property
2 appraiser is the appraisal of those properties which the supervisory
3 certified real property appraiser is permitted by his or her current
4 credential and that the supervisory appraiser is competent to
5 appraise.

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

21 ~~(e) 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, a trainee real
24 property appraiser shall satisfy at least one of the appropriate
25 requirements as follows:

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

6 ~~(b) For a credential as a certified residential real~~
7 ~~property appraiser, he or she shall (i) complete one hundred twenty-~~
8 ~~five additional hours of designated core curriculum education, (ii)~~
9 ~~meet the experience requirements pursuant to subdivision (1)(d) of~~
10 ~~section 76-2231.01, and (iii) meet the postsecondary educational~~
11 ~~requirements pursuant to subdivision (1)(b)(i) or (ii) of section~~
12 ~~76-2231.01; or~~

13 ~~(c) For a credential as a certified general real property~~
14 ~~appraiser, he or she shall (i) complete two hundred twenty five~~
15 ~~additional hours of designated core curriculum education, (ii) meet~~
16 ~~the experience requirements pursuant to subdivision (1)(d) of section~~
17 ~~76-2232, and (iii) meet the postsecondary educational requirements~~
18 ~~pursuant to subdivision (1)(b)(i) or (ii) of section 76-2232.~~

19 ~~(3) If a trainee real property appraiser remains in the~~
20 ~~classification in excess of two years, the trainee shall be required~~
21 ~~in the third and successive years to successfully complete no fewer~~
22 ~~than fourteen hours of instruction in courses or seminars for each~~
23 ~~year of the period preceding the renewal and shall have completed the~~
24 ~~seven hour National Uniform Standards of Professional Appraisal~~
25 ~~Practice Update Course, as the course existed on January 1, 2012, or~~

1 ~~the equivalent of the course as approved by the Real Property~~
2 ~~Appraiser Board, at a minimum of every two years. The courses of~~
3 ~~study shall be conducted by an accredited, degree awarding~~
4 ~~university, college, or community college, an appraisal society,~~
5 ~~institute, or association, a state or federal agency or commission, a~~
6 ~~proprietary school, or such other educational provider as may be~~
7 ~~approved by the board. Credit may be granted for educational~~
8 ~~offerings and for participation other than as a student as approved~~
9 ~~by the board.~~

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

13 Sec. 15. (1) Each trainee real property appraiser shall
14 be subject to direct supervision by a supervisory appraiser. To
15 qualify as a supervisory appraiser, a real property appraiser shall:

16 (a) Be a certified residential real property appraiser or
17 certified general real property appraiser in good standing;

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

21 (c) Have not successfully completed disciplinary action
22 by the board or any other jurisdiction, which action limited the real
23 property appraiser's legal eligibility to engage in real property
24 appraisal activity within three years immediately preceding the date
25 the written request for approval as supervisory appraiser is

1 submitted by the applicant or trainee real property appraiser on a
2 form approved by the board;

3 (d) As prescribed by rule or regulation of the board,
4 have successfully completed a board-approved seven-hour supervisory
5 appraiser and trainee course within one year immediately preceding
6 the date the written request for approval as supervisory appraiser is
7 submitted by the applicant or trainee real property appraiser on a
8 form approved by the board; and

9 (e) Certify that he or she understands his or her
10 responsibilities and obligations under the Real Property Appraiser
11 Act as a supervisory appraiser and applies his or her signature to
12 the written request for approval as supervisory appraiser submitted
13 by the applicant or trainee real property appraiser.

14 (2) The supervisory appraiser shall be responsible for
15 the training and direct supervision of the trainee real property
16 appraiser by:

17 (a) Accepting responsibility for the appraisal report by
18 applying his or her signature and certifying that the report is in
19 compliance with the Uniform Standards of Professional Appraisal
20 Practice;

21 (b) Reviewing the trainee real property appraiser
22 appraisal reports; and

23 (c) Personally inspecting each appraised property with
24 the trainee real property appraiser as is consistent with his or her
25 scope of practice until the supervisory appraiser determines that the

1 trainee real property appraiser is competent in accordance with the
2 competency rule of the Uniform Standards of Professional Appraisal
3 Practice.

4 (3) A certified real property appraiser disciplined by
5 the board or any other appraiser regulatory agency in another
6 jurisdiction, which discipline may or may not have limited the real
7 property appraiser's legal eligibility to engage in real property
8 appraisal activity, shall not be eligible as a supervisory appraiser
9 as of the date disciplinary action was imposed against the appraiser
10 by the board or any other appraiser regulatory agency. The certified
11 real property appraiser shall be considered to be in good standing
12 and eligible as a supervisory appraiser upon the successful
13 completion of disciplinary action that does not limit the real
14 property appraiser's legal eligibility to engage in real property
15 appraisal activity, or three years after the successful completion of
16 disciplinary action that limits the real property appraiser's legal
17 eligibility to engage in real property appraisal activity.

18 (4) The trainee real property appraiser may have more
19 than one supervisory appraiser, but a supervisory appraiser may not
20 supervise more than three trainee real property appraisers at one
21 time.

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

25 Sec. 16. Section 76-2229.01, Revised Statutes Cumulative

1 Supplement, 2012, is amended to read:

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

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

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

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

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

25 (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 basic 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 (e) 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, a registered
24 real property appraiser shall satisfy ~~at least one of the~~ appropriate
25 requirements as follows:

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

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

15 (3) For a credential as a licensed residential real
16 property appraiser, a registered real property appraiser shall:

17 (a) Meet the postsecondary educational requirements
18 pursuant to subdivision (1)(b)(i) or (ii) and (1)(c) of section
19 76-2230;

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

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

3 (4) For a credential as a certified real property
4 appraiser, a registered real property appraiser shall:

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

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

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

15 (5) For a credential as a certified general real property
16 appraiser, a registered real property appraiser shall:

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

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

25 (c) Meet the experience requirements pursuant to

1 subdivision (1)(e) of section 76-2232.

2 ~~(a) For a credential as a licensed residential real~~
3 ~~property appraiser, he or she shall (i) complete sixty additional~~
4 ~~hours of designated core curriculum education and (ii) meet the~~
5 ~~experience requirements pursuant to subdivision (1)(d) of section~~
6 ~~76-2230;~~

7 ~~(b) For a credential as a certified residential real~~
8 ~~property appraiser, he or she shall (i) complete one hundred ten~~
9 ~~additional hours of designated core curriculum education, (ii) meet~~
10 ~~the experience requirements pursuant to subdivision (1)(d) of section~~
11 ~~76-2231.01, and (iii) meet the postsecondary educational requirements~~
12 ~~pursuant to subdivision (1)(b)(i) or (ii) of section 76-2231.01; or~~

13 ~~(c) For a credential as a certified general real property~~
14 ~~appraiser, he or she shall (i) complete two hundred twenty five~~
15 ~~additional hours of designated core curriculum education, (ii) meet~~
16 ~~the experience requirements pursuant to subdivision (1)(d) of section~~
17 ~~76-2232, and (iii) meet the postsecondary educational requirements~~
18 ~~pursuant to subdivision (1)(b)(i) or (ii) of section 76-2232.~~

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

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

1 ~~(5)~~(6) An applicant shall receive no more than three
2 successive annual renewals for credentialing as a registered real
3 property appraiser. Notwithstanding any other provision of section
4 76-2228 to the contrary, the board shall not approve any initial
5 application for credentialing as a registered real property appraiser
6 on and after January 1, 2012.

7 (7) The scope of practice of a registered real property
8 appraiser shall be limited to the appraisal of, and review of
9 appraisals pertaining to, noncomplex residential real property having
10 no more than four units and having a transaction value of less than
11 two hundred fifty thousand dollars.

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

14 76-2230 ~~(1) To qualify for a credential as a licensed~~
15 ~~residential real property appraiser, an applicant shall:~~

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

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

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

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

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

24 ~~(e) Within the twelve months following approval of the~~
25 ~~applicant by the board, pass an examination approved by the Appraiser~~

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

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

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

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

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

14 ~~(v) An understanding of basic real estate law;~~

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

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

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

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

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

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

4 ~~(a) For a credential as a certified residential real~~
5 ~~property appraiser, he or she shall (i) complete fifty additional~~
6 ~~hours of designated core curriculum education, (ii) meet the~~
7 ~~experience requirements pursuant to subdivision (1)(d) of section~~
8 ~~76-2231.01, and (iii) meet the postsecondary educational requirements~~
9 ~~pursuant to subdivision (1)(b)(i) or (ii) of section 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 additional~~
12 ~~hours of designated core curriculum education, (ii) meet the~~
13 ~~experience requirements pursuant to subdivision (1)(d) of section~~
14 ~~76-2232, and (iii) meet the postsecondary educational requirements~~
15 ~~pursuant to subdivision (1)(b)(i) or (ii) of section 76-2232.~~

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

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

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

1 (b)(i) Hold an associate's degree, or higher, from an
2 accredited degree-awarding community college, college, or university;
3 or

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

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

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

15 (ii) The American Association of Collegiate Registrars
16 and Admissions Officers;

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

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

23 (d)(i) Have successfully completed and passed examination
24 for no fewer than one hundred fifty class hours in Real Property
25 Appraiser Board-approved qualifying education courses as prescribed

1 by rule or regulation of the Real Property Appraiser Board and
2 complete the fifteen-hour Uniform Standards of Professional Appraisal
3 Practice course as approved by the Appraiser Qualifications Board as
4 of January 1, 2014, or the equivalent of the course as approved by
5 the Real Property Appraiser Board. The fifteen-hour course shall be
6 taught by a Uniform Standards of Professional Practice instructor who
7 is certified by the Appraiser Qualifications Board and who is a
8 state-certified appraiser in good standing. The qualifying education
9 courses shall be conducted by an accredited degree-awarding community
10 college, college, or university, an appraisal society, institute, or
11 association, a state or federal agency or commission, a proprietary
12 school, or such other educational provider as may be approved by the
13 Real Property Appraiser Board, and shall be, at a minimum, fifteen
14 class 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 had
19 all or part of its curriculum approved by the Appraiser
20 Qualifications Board as required core curriculum. If the degree in
21 real estate as approved by the Appraiser Qualifications Board does
22 not satisfy all required qualifying education for credentialing, the
23 remaining class hours shall be completed in board-approved qualifying
24 education pursuant to subdivision (d)(i) of this subsection;

25 (e) Have no fewer than two thousand hours of experience

1 as prescribed by rule or regulation of the board. The required
2 experience shall be acceptable to the 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 twelve months. If requested,
6 evidence acceptable to the board concerning the experience shall be
7 presented by the applicant in the form of written reports or file
8 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 other
12 jurisdiction, in lieu of disciplinary action pending or threatened
13 within the five-year period immediately preceding the date of
14 application;

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

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

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 estate,

1 financial services, or in the making of an appraisal within the five-
2 year period immediately preceding the date of application; or

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

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

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

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

21 (l) Within the twelve months following approval of the
22 applicant's education and experience by the board, pass a licensed
23 residential real property appraiser examination, certified
24 residential real property appraiser examination, or certified general
25 real property appraiser examination, approved by the Appraiser

1 Qualifications Board, prescribed by rule or regulation of the Real
2 Property Appraiser Board, and administered by a contracted testing
3 service.

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

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

15 (b) Within the twelve months following approval of the
16 applicant's education and experience by the board for an upgraded
17 credential, pass an appropriate examination approved by the Appraiser
18 Qualifications Board for that upgraded credential, prescribed by rule
19 or regulation of the board and administered by a contracted testing
20 service.

21 (3) For a credential as a certified residential real
22 property appraiser, a licensed residential real property appraiser
23 shall:

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

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

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

9 (4) For a credential as a certified general real property
10 appraiser, a licensed residential real property appraiser shall:

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

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

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

21 (5) An appraiser holding a valid licensed residential
22 real property appraiser credential shall satisfy the requirements for
23 the trainee real property appraiser credential for a downgraded
24 credential.

25 (6) The scope of practice for a licensed residential real

1 property appraiser shall be limited to the appraisal of, and review
2 of appraisal of, noncomplex residential real property having no more
3 than four units, if any, with a transaction value of less than one
4 million dollars and complex residential real property having no more
5 than four units, with a transaction value of less than two hundred
6 fifty thousand dollars. The appraisal of subdivisions for which a
7 development analysis or appraisal is necessary is not included in the
8 scope of practice for a licensed residential real property appraiser.

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

11 76-2231.01 ~~(1) To qualify for a credential as a certified~~
12 ~~residential real property appraiser, an applicant shall:~~

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

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

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

24 ~~(c) Have successfully completed no fewer than two hundred~~
25 ~~class hours, which may include the class hours set forth in sections~~

1 ~~76-2229.01 and 76-2230, in board-approved courses of study which~~
2 ~~relate to appraisal and which include completion of the fifteen-hour~~
3 ~~National Uniform Standards of Professional Appraisal Practice Course~~
4 ~~as approved by the Appraiser Qualifications Board as of January 1,~~
5 ~~2012, or the equivalent of the course as approved by the Real~~
6 ~~Property Appraiser Board. The fifteen-hour course shall be taught by~~
7 ~~a Uniform Standards of Professional Appraisal Practice Instructor who~~
8 ~~is certified by the Appraiser Qualifications Board and who is a~~
9 ~~state-certified appraiser in good standing. The courses of study~~
10 ~~shall be conducted by an accredited, degree-awarding university,~~
11 ~~college, or community college, an appraisal society, institute, or~~
12 ~~association, a state or federal agency or commission, a proprietary~~
13 ~~school, or such other educational provider as may be approved by the~~
14 ~~Real Property Appraiser Board and shall be, at a minimum, fifteen~~
15 ~~class hours in length. Each course shall include a closed book~~
16 ~~examination pertinent to the material presented;~~

17 ~~(d) Have no fewer than two thousand five hundred hours of~~
18 ~~experience in any combination of the following: Fee and staff~~
19 ~~appraisal; ad valorem tax appraisal; condemnation appraisal;~~
20 ~~technical review appraisal; appraisal analysis; real estate~~
21 ~~consulting; highest and best use analysis; and feasibility analysis~~
22 ~~or study. The required experience shall not be limited to the listed~~
23 ~~items but shall be acceptable to the board and subject to review and~~
24 ~~determination as to conformity with the Uniform Standards of~~
25 ~~Professional Appraisal Practice. The experience shall have occurred~~

1 ~~during a period of no fewer than twenty-four months. If requested,~~
2 ~~evidence acceptable to the board concerning the experience shall be~~
3 ~~presented by the applicant in the form of written reports or file~~
4 ~~memoranda;~~

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

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

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

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

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

20 ~~(v) An understanding of basic real estate law;~~

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

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

25 ~~(viii) An understanding of the recognized methods and~~

1 ~~techniques necessary for the development and communication of a~~
2 ~~credible appraisal; and~~

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

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

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

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

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

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

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

20 ~~(4) If an applicant is applying for renewal of a~~
21 ~~credential as a certified residential real property appraiser, the~~
22 ~~applicant shall have successfully completed no fewer than fourteen~~
23 ~~hours of instruction in courses or seminars for each year of the two-~~
24 ~~year continuing education period during which the application is~~
25 ~~submitted and shall have completed the seven-hour National Uniform~~

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

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

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

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

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

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

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

5 (ii) The American Association of Collegiate Registrars
6 and Admissions Officers;

7 (iii) A foreign degree credential evaluation service
8 company that is a member of the National Association of Credential
9 Evaluation Services; or

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

13 (d)(i) Have successfully completed and passed examination
14 for no fewer than two hundred class hours in Real Property Appraiser
15 Board-approved qualifying education courses as prescribed by rule or
16 regulation of the board and completed the fifteen-hour Uniform
17 Standards of Professional Appraisal Practice course as approved by
18 the Appraiser Qualifications Board as of January 1, 2014, or the
19 equivalent of the course as approved by the Real Property Appraiser
20 Board. The fifteen-hour course shall be taught by a Uniform Standards
21 of Professional Practice instructor who is certified by the Appraiser
22 Qualifications Board and who is a state-certified appraiser in good
23 standing. The qualifying education courses shall be conducted by an
24 accredited degree-awarding community college, college, or university,
25 an appraisal society, institute, or association, a state or federal

1 agency or commission, a proprietary school, or such other educational
2 provider as may be approved by the Real Property Appraiser Board, and
3 shall be, at a minimum, fifteen class hours in length. Each course
4 shall be conducted in a classroom and not online or by
5 correspondence. Each course shall include a closed-book examination
6 pertinent to the material presented; or

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

15 (e) Have no fewer than two thousand five hundred hours of
16 experience as prescribed by rule or regulation of the board. The
17 required experience shall be acceptable to the board and subject to
18 review and determination as to conformity with the Uniform Standards
19 of Professional Appraisal Practice. The experience shall have
20 occurred during a period of no fewer than twenty-four months. If
21 requested, evidence acceptable to the board concerning the experience
22 shall be presented by the applicant in the form of written reports or
23 file memoranda;

24 (f) Certify that he or she has not surrendered an
25 appraiser credential, or any other registration, license, or

1 certification, held for any other regulatory agency or in any other
2 jurisdiction, in lieu of disciplinary action pending or threatened
3 within the five-year period immediately preceding the date of
4 application;

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

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

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

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

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

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

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

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

11 (l) Within the twelve months following approval of the
12 applicant's education and experience by the board, pass a certified
13 residential real property appraiser examination, or certified general
14 real property appraiser examination, approved by the Appraiser
15 Qualifications Board, prescribed by rule or regulation of the board,
16 and administered by a contracted testing service.

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

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

1 Investigation with such record check to be carried out by the board;
2 and

3 (b) Within the twelve months following approval of the
4 applicant's education and experience by the board for an upgrade to a
5 certified general real property appraiser credential, pass a
6 certified general real property appraiser examination approved by the
7 Appraiser Qualifications Board, prescribed by rule or regulation of
8 the board, and administered by a contracted testing service.

9 (3) For a credential as a certified general real property
10 appraiser, a certified residential real property appraiser shall:

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

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

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

21 (4) An appraiser holding a valid certified residential
22 real property appraiser credential shall satisfy the requirements for
23 the trainee real property appraiser credential and licensed
24 residential real property appraiser credential for a downgraded
25 credential. If requested, evidence acceptable to the board concerning

1 the experience shall be presented along with an application in the
2 form of written reports or file memoranda.

3 (5) The scope of practice of a certified residential real
4 property appraiser shall be limited to the appraisal of, and review
5 of appraisal of, residential property having no more than four
6 residential units, without regard to transaction value or complexity.
7 The appraisal of subdivisions for which a development analysis or
8 appraisal is necessary, is not included in the scope of practice for
9 a certified residential real property appraiser.

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

12 76-2232 ~~(1) To qualify for a credential as a certified~~
13 ~~general real property appraiser, an applicant shall:~~

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

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

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

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

20 ~~(d) Have no fewer than three thousand hours of experience~~
21 ~~in any combination of the following: Fee and staff appraisal; ad~~
22 ~~valorem tax appraisal; condemnation appraisal; technical review~~
23 ~~appraisal; appraisal analysis; real estate consulting; highest and-~~
24 ~~best use analysis; and feasibility analysis or study. The required~~
25 ~~experience shall not be limited to the listed items but shall be~~

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

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

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

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

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

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

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

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

25 (vii) An understanding of the Uniform Standards of

1 Professional Appraisal Practice;

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

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

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

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

1 ~~society, institute, or association, a state or federal agency or~~
2 ~~commission, a proprietary school, or such other educational provider~~
3 ~~as may be approved by the Real Property Appraiser Board. Credit may~~
4 ~~be granted for educational offerings and for participation other than~~
5 ~~as a student as approved by the board.~~

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

9 (1) To qualify for a credential as a certified general
10 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 college degree is from a foreign country:

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

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

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

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

25 (d)(i) Have successfully completed and passed examination

1 for no fewer than three hundred class hours in board-approved
2 qualifying education courses as prescribed by rule or regulation of
3 the board and completed the fifteen-hour National Uniform Standards
4 of Professional Appraisal Practice Course as approved by the
5 Appraiser Qualifications Board as of January 1, 2014, or the
6 equivalent of the course as approved by the Real Property Appraiser
7 Board. The fifteen-hour course shall be taught by a Uniform Standards
8 of Professional Practice Instructor who is certified by the Appraiser
9 Qualifications Board and who is a state-certified appraiser in good
10 standing. The qualifying education courses shall be conducted by an
11 accredited degree-awarding community college, college, or university,
12 an appraisal society, institute, or association, a state or federal
13 agency or commission, a proprietary school, or such other educational
14 provider as may be approved by the Real Property Appraiser Board, and
15 shall be, at a minimum, fifteen class hours in length. Each course
16 shall be conducted in a classroom and not online or by
17 correspondence. Each course shall include a closed-book examination
18 pertinent to the material presented; or

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

1 Board-approved qualifying education pursuant to subdivision (d)(i) of
2 this subsection;

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

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

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

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

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

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

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

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

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

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

25 (l) Within the twelve months following approval of the

1 applicant's education and experience by the board, pass a certified
2 general real property appraiser examination approved by the Appraiser
3 Qualifications Board, prescribed by rule or regulation of the Real
4 Property Appraiser Board, and administered by a contracted testing
5 service.

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

14 (3) The scope of practice for the certified general real
15 property appraiser is the appraisal of all types of real property
16 that appraiser is competent to appraise.

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

19 ~~76-2233 (1) A nonresident of this state may obtain a~~
20 ~~credential as a licensed residential real property appraiser, a~~
21 ~~certified residential real property appraiser, or a certified general~~
22 ~~real property appraiser by (a) complying with all of the provisions~~
23 ~~of the Real Property Appraiser Act relating to the appropriate~~
24 ~~classification of credentialing, (b) submitting an application on a~~
25 ~~form approved by the board, and (c) submitting an irrevocable consent~~

1 ~~that service of process upon him or her may be made by delivery of~~
2 ~~the process to the director of the board if the plaintiff cannot, in~~
3 ~~the exercise of due diligence, effect personal service upon the~~
4 ~~applicant in an action against the applicant in a court of this state~~
5 ~~arising out of the applicant's activities in this state.~~

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

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

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

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

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

4 ~~(d) Pay fees as established in section 76-2241; and~~

5 ~~(e) Comply with such other terms and conditions as may be~~
6 ~~determined by the board.~~

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

14 (2) If, in the determination of the board, the
15 applicant's jurisdiction of practice specified in an application for
16 credentialing meets or exceeds the requirements of this state, and
17 that jurisdiction is determined to be in compliance with Title XI of
18 the Financial Institutions Reform, Recover, and Enforcement Act of
19 1989, 12 U.S.C. 1811 et seq., as the act existed on January 1, 2014,
20 an applicant of such jurisdiction may, through reciprocity, become
21 credentialed under the act.

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

24 (a) Submit evidence of experience as prescribed by rule
25 or regulation of the board. The experience shall be acceptable to the

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

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

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

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

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

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 estate,

1 financial services, or in the making of an appraisal within the five-
2 year period immediately preceding the date of application; or

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

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

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

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

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

1 and

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

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

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

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

22 (2) Along with the application for renewal, each
23 credential holder shall submit two copies of legible ink-rolled
24 fingerprint cards or equivalent electronic fingerprint submissions to
25 the board for delivery to the Nebraska State Patrol in a form

1 approved by both the Nebraska State Patrol and the Federal Bureau of
2 Investigation. A fingerprint-based national criminal history record
3 check shall be conducted through the Nebraska State Patrol and the
4 Federal Bureau of Investigation with such record check to be carried
5 out by the board.

6 (3) If a credential holder fails to apply and meet the
7 requirements for renewal by November 30 of the designated year, such
8 credential holder may obtain a renewal of such credential by
9 satisfying all of the requirements for renewal and paying a late
10 renewal fee if such late renewal takes place prior to July 1 of the
11 following year. The board may refuse to renew any credential if the
12 credential holder has continued to perform real property appraisal
13 activities or other related activities in this state following the
14 expiration of his or her credential.

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

17 76-2236 (1) Every credential holder shall furnish
18 evidence to the board that he or she has satisfactorily completed no
19 fewer than twenty-eight hours of approved continuing education
20 activities in each two-year continuing education period. Hours of
21 satisfactorily completed approved continuing education activities
22 cannot be carried over from one two-year continuing education period
23 to another.

24 (2) No more than fourteen hours of approved continuing
25 education activities in each two-year continuing education period

1 shall be taken online or by correspondence. All online courses shall
2 conform to the Appraiser Qualifications Board's criteria.

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

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

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

24 (6) Qualifying education, as approved by the board, taken
25 by a credential holder to fulfill the class hour requirement to

1 upgrade to a higher classification than his or her current
2 classification for an upgraded credential, shall be approved by the
3 board as continuing education.

4 (7) A board approved seven-hour supervisory appraiser or
5 trainee course successfully completed by a certified real property
6 appraiser for approval as a supervisory appraiser shall be approved
7 by the board as continuing education.

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

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

18 76-2238 The following acts and omissions shall be
19 considered grounds for disciplinary action or denial of an
20 application by the board:

21 (1) Failing to meet the minimum qualifications for
22 credentialing established by or pursuant to the Real Property
23 Appraiser Act;

24 (2) Procuring or attempting to procure a credential under
25 the act by knowingly making a false statement, submitting false

1 information, or making a material misrepresentation in an application
2 filed with the board or procuring or attempting to procure a
3 credential through fraud or misrepresentation;

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

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

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

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

17 ~~(5)~~(7) Entry of a final civil or criminal judgment
18 against a credential holder, including dismissal with settlement, on
19 grounds of fraud, dishonesty, breach of trust, money laundering,
20 misrepresentation, or deceit involving real estate, financial
21 services, or in the making of an appraisal;

22 ~~(6)~~(8) Conviction, including a conviction based upon a
23 plea of guilty or nolo contendere, of a crime which is related to the
24 qualifications, functions, or duties of a real property appraiser;

25 ~~(7)~~(9) Engaging in the business of real property

1 appraising under an assumed or fictitious name;

2 ~~(8)~~(10) Paying a finder's fee or a referral fee to any
3 person in connection with the appraisal of real estate or real
4 property, except that an intracompany payment for business
5 development shall not be considered to be unethical or a violation of
6 this subdivision;

7 ~~(9)~~(11) Making a false or misleading statement in that
8 portion of a written appraisal report that deals with professional
9 qualifications or in any testimony concerning professional
10 qualifications;

11 ~~(10)~~(12) Any violation of the act or any rule or
12 regulation adopted and promulgated pursuant to the act;

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

16 ~~(12)~~(14) Acceptance of a fee for performing a real
17 property appraisal valuation assignment or evaluation assignment when
18 the fee is or was contingent upon (a) the real property appraiser
19 reporting a predetermined analysis, opinion, or conclusion, (b) the
20 analysis, opinion, conclusion, or valuation reached, or (c) the
21 consequences resulting from the appraisal;

22 ~~(13)~~(15) Failure or refusal to exercise reasonable
23 diligence in developing an appraisal, preparing an appraisal report,
24 or communicating an appraisal;

25 ~~(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 of a
8 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, or
11 profession in this or any other jurisdiction;

12 (20) Failing to renew or surrender an appraisal
13 credential, or any other registration, license, or certification,
14 held by any other regulatory agency or in any other jurisdiction, in
15 lieu of disciplinary action pending or threatened;

16 (21) Failing to report disciplinary action taken against
17 an appraisal credential, or any other registration, license, or
18 certification, held for any other regulatory agency or in any other
19 jurisdiction within sixty days of such action;

20 ~~(18)~~—(22) Failure to comply with terms of a consent
21 agreement or settlement agreement;

22 ~~(19)~~—(23) Failure to submit or produce books, records,
23 documents, work files, appraisal reports, or other materials
24 requested by the board concerning any matter under investigation;

25 ~~(20)~~—(24) Failure of an educational provider to produce

1 records, documents, reports, or other materials, including, but not
2 limited to, required student attendance reports, to the board;

3 (25) Offering or attempting to offer a qualifying or
4 continuing education course or activity as being approved by the
5 board to an appraiser credentialed under the Real Property Appraiser
6 Act, or an applicant, without first obtaining approval of the
7 activity from the board, except for courses required by an accredited
8 degree-awarding college or university for a completion of a degree in
9 real estate, if that the college or university has had its curriculum
10 approved by the Appraiser Qualifications Board as qualifying
11 education;

12 ~~(21)-(26)~~ Presentation to the board of any check which is
13 returned to the State Treasurer unpaid, whether payment of fee is for
14 an initial or renewal credential or for examination; and

15 ~~(22) Failure~~ (27) Failing to pass the examination.

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

18 76-2241 The board shall charge and collect appropriate
19 fees for its services under the Real Property Appraiser Act as
20 follows:

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

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

25 (3) An initial and renewal credentialing fee, other than

1 temporary credentialing, of no more than three hundred dollars;

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

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

8 (6) A pocket card fee of no more than fifty dollars for a
9 licensed residential real property appraiser, certified residential
10 real property appraiser, or certified general real property appraiser
11 holding a temporary credential under the act; and -

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

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

16 In addition to the fees set forth in this section, the
17 board may collect and transmit to the appropriate federal authority
18 any fees established under the provisions of the Financial
19 Institutions Reform, Recovery, and Enforcement Act of 1989, as the
20 act existed on January 1, ~~2012.~~2014. The board may establish such
21 fees as it deems appropriate for special examinations and other
22 services provided by the board. All fees and other revenue collected
23 pursuant to the Real Property Appraiser Act shall be remitted by the
24 board to the State Treasurer for credit to the Real Property
25 Appraiser Fund.

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

3 76-2249 (1) The board may prepare a printed directory
4 showing the name and place of business of credential holders under
5 the Real Property Appraiser Act. Copies of the directory shall be
6 made available to the public at such reasonable price per copy as may
7 be fixed by the board and shall be provided to federal authorities as
8 required by the Financial Institutions Reform, Recovery, and
9 Enforcement Act of 1989, as the act existed on January 1, ~~2012~~ 2014.

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

21 Sec. 26. Original sections 76-2201, 76-2203, 76-2217.02,
22 and 76-2227, Reissue Revised Statutes of Nebraska, and sections
23 76-2202, 76-2213.01, 76-2216, 76-2223, 76-2228.01, 76-2229.01,
24 76-2230, 76-2231.01, 76-2232, 76-2233, 76-2233.02, 76-2236, 76-2238,
25 76-2241, and 76-2249, Revised Statutes Cumulative Supplement, 2012,

REQ 03544
NPN - 09/25/2013

REQ 03544
NPN - 09/25/2013

1 are repealed.