

ONE HUNDRED THIRD LEGISLATURE - FIRST SESSION - 2013
COMMITTEE STATEMENT
LB290

Hearing Date: Monday January 28, 2013
Committee On: Banking, Commerce and Insurance
Introducer: Pirsch
One Liner: Change provisions relating to the Residential Mortgage Licensing Act

Roll Call Vote - Final Committee Action:
Advanced to General File

Vote Results:

Aye: 8 Senators Campbell, Carlson, Christensen, Crawford, Gloor, Howard, Pirsch, Schumacher

Nay:

Absent:

Present Not Voting:

Proponents:

Senator Pete Pirsch
John Munn

Representing:

Introducer
NE Dept of Banking and Finance

Opponents:

Representing:

Neutral:

Representing:

Summary of purpose and/or changes:

LB 290, introduced at the request of the Department of Banking and Finance, would amend various sections of the Residential Mortgage Licensing Act. The bill would provide, section by section, as follows:

Section 1 would amend section 45-701 of the Residential Mortgage Licensing Act to incorporate new section 5 of the bill into the Act.

Section 2 would amend section 45-727 of the Residential Mortgage Licensing Act to repeal an obsolete reference to the July 31, 2010 start date for mortgage loan originator licensing.

Section 3 would amend section 45-729 of the Residential Mortgage Licensing Act to provide that the 120-day period for calculating abandonment of a license application would run from the date the department sends the applicant electronic notice of the items that are deficient, rather than from the date that the deficiency notice was mailed.

Section 4 would amend section 45-737 of the Residential Mortgage Licensing Act to provide that the duties listed in the law for licensees would apply only to the entities licensed as mortgage bankers, rather than to both mortgage banker licensees and the individuals licensed as mortgage loan originators. Section 4 would also clarify the types of orders and proceedings that mortgage banker licensees must report to the department, and would provide that such notices to the department may be sent electronically.

Section 5 would enact a new section in the Residential Mortgage Licensing Act to set out duties for the individuals licensed as mortgage loan originators, which would include notification to the Department of Banking and Finance within

ten days of events such as bankruptcy, criminal indictments, and license suspension or revocation proceedings from another state; and notification within thirty days of items such as change of employer and change of address. Duties for mortgage loan originators are currently combined with the duties of mortgage banker licensees in section 45-737.

Section 6 would amend section 45-741 of the Residential Mortgage Licensing Act, which provides that as part of an investigation or examination of a licensee or registrant the Department of Banking and Finance may rely on reports prepared by the licensee or registrant for specified federal agencies or federally related entities. The amendment would add the Consumer Financial Protection Bureau as a specified federal agency.

Section 7 would provide for repealers of amendatory sections.

Mike Gloor, Chairperson