



**Ninety-Ninth Legislature - Second Session - 2006**  
**Committee Statement**  
**LB 778**

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**Hearing Date:** January 17, 2006

**Committee On:** Banking, Commerce and Insurance

**Introducer(s):** (Langemeier, Erdman)

**Title:** Change provisions relating to the credentialing of real property appraisers

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**Roll Call Vote – Final Committee Action:**

- X Advanced to General File
  - Advanced to General File with Amendments
  - Indefinitely Postponed
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**Vote Results:**

- |   |                     |   |
|---|---------------------|---|
| 7 | Yes                 | Senators Mines, Redfield, Flood, Jensen, Johnson, Langemeier, Pahls |
|   | No                  |   |
| 1 | Present, not voting | Senator Louden  |
|   | Absent              |   |
- 

**Proponents:**

Senator Chris Langemeier  
 Jill Ekstein  
 John Bredemeyer  
 Cay Lacey  
 Bob Hallstrom  
 Justin Brady  
 John Childears

**Representing:**

Introducer  
 NE Real Estate Appraiser Board  
 Self  
 Appraisal Institute  
 NE Bankers Association  
 NE Realtors Association  
 Self

**Opponents:**

**Representing:**

**Neutral:**

**Representing:**

**Summary of purpose and/or changes:**

OVERVIEW

LB 778 (Langemeier, Erdman) would amend various sections of the Real Estate Appraiser Act to re-name the act the Real Property Appraiser Act; increase education requirements and experience requirements for credentialing and increase continuing education requirements; increase fees; and eliminate advocate consulting service.

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## SECTION-BY-SECTION SUMMARY

Sections 1 to 9 would amend sections outside the Real Estate Appraiser Act (sections 2-1502, 2-5506, 13-403, 44-320, 49-14,103.01, 72-224.03, 72-257, 76-706, and 76-1907) to harmonize terminology regarding appraisers.

Section 10 would amend section 76-2201 of the Real Estate Appraiser Act in order to re-name the act the Real Property Appraiser Act and provide for assignment of new sections 16 and 37 of the bill within the act.

Section 11 would amend section 76-2202 of the Real Estate Appraiser Act to provide legislative findings regarding the bill and harmonize terminology.

Sections 12 to 15 would amend sections 76-2203, 76-2204, 76-2205.01, and 76-2206 of the Real Estate Appraiser Act to harmonize terminology.

Section 16 would amend section 76-2207 of the Real Estate Appraiser Act to change the defined term “appraiser trainee” to “trainee real property appraiser” and provide that this section shall be re-assigned within the act.

Sections 17 to 27 would amend sections 76-2208, 76-2210 to 76-2210.02, 76-2211.01, 76-2212, 76-2213, 76-2215, 76-2216, 76-2217.01, and 76-2218 of the Real Estate Appraiser Act to harmonize terminology.

Section 28 would amend section 76-2218.01 of the Real Estate Appraiser Act to provide that the Uniform Standards of Professional Appraisal Practice include the required fifteen-hour National Uniform Standards of Professional Appraisal Practice Course and the required seven-hour National Uniform Standards of Professional Appraisal Update Course.

Section 29 would amend section 76-2220 of the Real Estate Appraiser Act to harmonize terminology.

Section 30 would amend section 76-2221 of the Real Estate Appraiser Act to repeal provisions which make the act nonapplicable to appraiser trainees and to harmonize terminology.

Sections 31 to 35 would amend sections 76-2222 to 76-2226 of the Real Estate Appraiser Act to update provisions and harmonize terminology.

Section 36 would amend section 76-2228 of the Real Estate Appraiser Act to increase the number of classes of credentials issued to appraisers on and after January 1, 2008 from four to five with the addition of trainee real property appraisers and to re-name licensed real property appraisers as licensed residential real property appraisers.

Section 37 would enact a new section in the Real Property Appraiser Act to establish education requirements and training and direct supervision requirements to qualify on and after January 1, 2008 as a trainee real property appraiser.

Section 38 would amend section 76-2229 of the Real Estate Appraiser Act to harmonize terminology.

Section 39 would amend section 76-2229.01 of the Real Estate Appraiser Act to provide that, on and after January 1, 2008, an applicant for registration as a real property appraiser shall receive no more than three successive annual renewals for registration, and that the Real Property Appraiser Board shall not approve any initial application for registration as a real property appraiser on and after January 1, 2012. This section would also harmonize terminology.

Section 40 would amend section 76-2230 of the Real Estate Appraiser Act to provide that, on and after January 1, 2008, to qualify for a credential as a licensed residential real property appraiser, an applicant shall, among other things, have completed not less than 150 class hours, rather than 90 class hours, which include the fifteen-hour National Uniform Standards of Professional Appraisal Practice Course, and have no less than 2,000 hours of experience during a period of no fewer than 12 months, rather than at least 2,000 hours over at least a twenty-four month period. This section would provide that if an applicant is applying for renewal of a credential as a licensed residential real property appraiser on and after January 1, 2008, the applicant shall have completed not less than 14 hours of continuing education for each year of the two-year continuing education period and shall have completed the seven-hour National Uniform Standards of Professional Appraisal Practice Update Course every two years.

Section 41 would amend section 76-2231.01 of the Real Appraiser Act to provide that, on and after January 1, 2008, to qualify for a residential certificate as a certified residential real property appraiser, an applicant shall, among other things, hold an associate degree, or higher, or, in lieu of a degree, have completed 21 semester hours in specified course work, rather than hold a high school degree or certificate of equivalency, and have completed not less than 200 class hours, rather than not less than 120 class hours, which include the fifteen-hour National Uniform Standards of Professional Appraisal Practice Course. This section would provide that if an applicant is applying for renewal of a residential certificate as a certified residential real property appraiser on and after January 1, 2008, the applicant shall have completed not less than 14 hours of continuing education for each year of the two-year continuing education period and shall have completed the seven-hour National Uniform Standards of Professional Appraisal Practice Update Course every two years.

Section 42 would amend section 76-2232 of the Real Estate Appraiser Act to provide that, on and after January 1, 2008, to qualify for a general certificate as a certified general real estate appraiser, an applicant shall, among other things, hold a bachelor's degree, or higher, or, in lieu of a degree, have completed 30 semester hours in specified course work, rather than hold a high school degree or certificate of equivalency, and have completed not less than 300 class hours, rather than not less than 180 class hours, which include the fifteen-hour National Uniform Standards of Professional Appraisal Practice Course. This section would provide that if an applicant is applying for renewal of a general certificate as a certified general real property appraiser on and after January 1, 2008, the applicant shall have completed not less than 14 hours of continuing education for each year of the two-year continuing education period and shall have completed the seven-hour National Uniform Standards of Professional Appraiser Practice Update Course every two years.

Section 43 would amend section 76-2233 of the Real Estate Appraiser Act to update provisions and harmonize terminology.

Section 44 would amend section 76-2233.01 of the Real Estate Appraiser Act to provide that a temporary six-month nonresident license or certificate may be renewed for one additional six-month period rather than may not be renewed at all. This section would also harmonize terminology.

Section 45 would amend section 76-2233.02 of the Real Estate Appraiser Act to harmonize terminology.

Section 46 would amend section 76-2236 of the Real Estate Appraiser Act to provide that once every two years, rather than once every four years, an update seminar of no less than seven hours, covering the National Uniform Standards of Professional Appraisal Practice, shall be included in the continuing education requirement of each credential holder. This section would also repeal obsolete provisions.

Section 47 would amend section 76-2237 of the Real Estate Appraiser Act to update provisions.

Section 48 would amend section 76-2238 of the Real Estate Appraiser Act to repeal provisions which permit acceptance of a fee for performing an advocate consulting service.

Section 49 would amend section 76-2239 of the Real Estate Appraiser Act to harmonize terminology.

Section 50 would amend section 76-2241 of the Real Estate Appraiser Act to increase application, examination, and temporary license and certificate fees. This section would also update provisions and harmonize terminology.

Sections 51 to 54 would amend sections 76-2242, 76-2243, 76-2245, and 76-2246 of the Real Estate Appraiser Act to harmonize terminology.

Section 55 would amend section 76-2247.01 of the Real Estate Appraiser Act to repeal provisions which permit appraisers to provide advocate consulting services. This section would also update provisions and harmonize terminology.

Sections 56 to 58 would amend sections 76-2248 to 76-2250 of the Real Estate Appraiser Act to update provisions and harmonize terminology.

Sections 59 to 61 would amend sections outside the Real Estate Appraiser Act (sections 77-1355, 77-2019, and 77-5004) to harmonize terminology regarding appraisers.

Section 62 would provide for repealers of amendatory sections.

Section 63 would provide for outright repeal of section 76-2203.01 of the Real Estate Appraiser Act – the definition of advocate consulting service.

**Explanation of amendments, if any:**

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**Senator Mick Mines, Chairperson**