

## LEGISLATIVE BILL 11

Approved by the Governor February 12, 2009

Introduced by Langemeier, 23.

FOR AN ACT relating to the Nebraska Real Estate License Act; to amend section 81-885.14, Reissue Revised Statutes of Nebraska; to change licensing fees; to change a provision relating to revocation or denial of a license; and to repeal the original section.

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

Section 1. Section 81-885.14, Reissue Revised Statutes of Nebraska, is amended to read:

81-885.14 (1) To pay the expense of the maintenance and operation of the office of the commission and the enforcement of the Nebraska Real Estate License Act, the commission shall, at the time an application is submitted, collect from an applicant for each broker's or salesperson's examination a fee to be established by the commission of not more than ~~one~~ two hundred fifty dollars and an application fee of not more than ~~one~~ two hundred fifty dollars. The commission shall also collect a reexamination fee to be established by the commission of not more than ~~one~~ two hundred fifty dollars for each reexamination. The commission may direct an applicant to pay the examination or reexamination fee to a third party who has contracted with the commission to administer the examination. ~~A nonresident applicant who is duly licensed in the state of residence and~~ An applicant who is granted a nonresident license under a reciprocal agreement license under section 81-885.17 without being required to take an examination shall not be required to pay the examination and application fees. Prior to the issuance of an original license, each applicant who has passed the examination required by section 81-885.13 or who has received a license under a ~~reciprocal agreement~~ section 81-885.17 shall pay a license fee to be established by the commission. The license fee established by the commission shall not exceed the following amounts: For a broker's license, not more than ~~one hundred fifty dollars for a resident and not more than three hundred dollars for a nonresident;~~ two hundred fifty dollars; and for a salesperson's license, not more than ~~one hundred dollars for a resident and not more than two hundred dollars for a nonresident.~~ two hundred dollars. After the original issuance of a license, a renewal application and an annual fee to be established by the commission of not more than ~~one hundred fifty dollars for each resident broker, not more than three hundred dollars for each nonresident broker, not more than one hundred dollars for each resident salesperson, and not more than two hundred dollars for each nonresident salesperson~~ two hundred fifty dollars for each broker, and not more than two hundred dollars for each salesperson, shall be due and payable on or before the last day of November of each year. Failure to remit annual fees when due shall automatically cancel such license on December 31 of that year, but otherwise the license shall remain in full force and effect continuously from the date of issuance unless suspended or revoked by the commission for just cause. Any licensee who fails to file an application for the renewal of any license and pay the renewal fee as provided in this section may file a late renewal application and shall pay, in addition to the renewal fee, an amount to be established by the commission of not more than twenty-five dollars for each month or fraction thereof beginning with the first day of December if such late application is filed before July 1 of the ensuing year. Any check presented to the commission as a fee for either an original or renewal license or for examination for license which is returned to the State Treasurer unpaid or any electronic payment presented to the commission as a fee for either an original or renewal license or for examination for license that is not accepted against the commission shall be cause for revocation or denial of license.

(2) An inactive broker or salesperson may renew his or her license by submitting an application before December 1 prior to the ensuing year. Such broker or salesperson shall submit the renewal fee together with the completed renewal application on which he or she has noted his or her present inactive status. Any broker or salesperson whose license has been renewed on such inactive status shall not be permitted to engage in the real estate business until such time as he or she fulfills the requirements for active status. Any license which has been inactive for a continuous period of more than three years shall be reinstated only if the licensee has met the examination requirement of an original applicant.

Sec. 2. Original section 81-885.14, Reissue Revised Statutes of Nebraska, is repealed.