

# NEBRASKA

Good Life. Great Opportunity.

DEPARTMENT OF BANKING  
AND FINANCE

Pete Ricketts, Governor



December 20, 2019

Patrick J. O'Donnell  
Clerk of the Legislature  
State Capitol, Room 2018  
Lincoln, NE 68509-4604

Dear Mr. O'Donnell:

Enclosed is the Nebraska Department of Banking and Finance's Index of Rules and Regulations and Guidance Documents ("Index") which I am submitting as required by Neb. Rev. Stat. § 84-901.03 (Supp. 2017). The Index can also be found at [https://ndbf.nebraska.gov/sites/ndbf.nebraska.gov/files/doc/legal/Guidance\\_Documents\\_Index.pdf](https://ndbf.nebraska.gov/sites/ndbf.nebraska.gov/files/doc/legal/Guidance_Documents_Index.pdf).

If you have any questions, feel free to contact me at your earliest convenience.

Sincerely,

Mark Quandahl  
Director

Enclosure

**NEBRASKA DEPARTMENT OF BANKING AND FINANCE**

**GUIDANCE DOCUMENTS**

**FINANCIAL INSTITUTIONS DIVISION**

**FINANCIAL INSTITUTIONS STATEMENTS OF POLICY**

<u>Number</u>	<u>Title &amp; Description</u>
1	<a href="#"><u>Powers of a State Bank</u></a> <i>Sets forth the powers of a state-chartered bank and describes services or products a state-chartered bank may offer.</i>
2	<a href="#"><u>Loan Production Offices in Nebraska</u></a> <i>Pertains to loan production offices in Nebraska and includes descriptions of their various areas of interest.</i>
3	<a href="#"><u>Credit Card Banks in Nebraska</u></a> <i>Contains a list of questions and answers regarding credit card banks in Nebraska.</i>
4	<a href="#"><u>Bank and Bank Branch Naming Policy</u></a> <i>Sets forth policies concerning the use and approval of the chartered name of a bank, the names of all bank offices used within the State of Nebraska, and the laws prohibiting the use of confusingly similar names by bank offices in the same community or county.</i>
5	<a href="#"><u>Payment of Fees to an Insider of a Bank</u></a> <i>Covers the issues surrounding the payment of fees to a bank insider.</i>
6	<a href="#"><u>Formal and Informal Administrative Actions</u></a> <i>Describes formal and informal administrative action processes, including corrective action procedures, as they relate to bank examination results.</i>
7	<a href="#"><u>Capital Computation</u></a> <i>Defines what "primary capital" is, for purposes of computing capital at a state-chartered bank.</i>
8	<a href="#"><u>Violations of Banking Statutes</u></a> <i>Briefly describes how the Department responds to civil and criminal banking statute violations.</i>
9	<a href="#"><u>Loan Limits</u></a> <i>Sets forth policies regarding the maximum amount a bank may loan to a customer.</i>
10	<a href="#"><u>Livestock Loans</u></a> <i>Sets forth policies regarding rules and restrictions regarding loans secured by livestock.</i>
11	<a href="#"><u>Inclusion of Nonledger Assets in Total Amount Loaned Under State Lending Limits</u></a> <i>Pertains to the treatment of ledger and nonledger assets in the same line of credit.</i>

- 12 [Participation Loans](#)  
*Sets forth policies regarding the purchase and renewal of participation loans.*
- 13 [Lending Limits Where Bank's Capital Declines](#)  
*Discusses lending limits for a bank that experiences a decline in bank capital and includes examples for further clarification.*
- 14 [Other Real Estate](#)  
*Contains policies regarding a bank's acquisition of other real estate.*
- 15 [Financial Institution Bond Coverage](#)  
*Contains policies regarding financial institution bond coverage as required by the Nebraska Banking Act.*
- 16 [Disclosure of Information to Bonding Companies](#)  
*Covers the types of disclosures of information that can or cannot be made to bonding companies.*
- 17 [External Auditors and Confidentiality of Examinations and Other Materials](#)  
*Sets forth policies that assist external auditors of a financial institution with the coordination and communication of information with examiners.*
- 18 [Response Program/Notification Unauthorized Access to Customer Information](#)  
*Contains policies for financial institutions regarding the implementation of a Response Program in the event of a data security breach and establishes the requirement to notify the Department of a data security breach.*

## **FINANCIAL INSTITUTIONS MISCELLANEOUS GUIDANCE DOCUMENTS**

<u>Number</u>	<u>Title &amp; Description</u>
1	<a href="#"><u>Community Development Investments: A Banker's Guide Brochure</u></a> <i>A brochure for bankers containing general information regarding community development investments.</i>
2	<a href="#"><u>Financial Institution Directors: Duties &amp; Responsibilities Manual</u></a> <i>A manual intended to assist members of the board of directors of a financial institution to better understand their duties and responsibilities.</i>
3	<a href="#"><u>Executive Officer's FAQ</u></a> <i>Answers common questions concerning the licensing of bank executive officers.</i>

## MORTGAGE BANKING INTERPRETATIVE OPINIONS

<u>Number</u>	<u>Title &amp; Description</u>
1	<a href="#"><u>Activities Requiring Licensure as a Mortgage Loan Originator</u></a> <i>Describes the type of activities that require licensing as a mortgage loan originator.</i>
2	<a href="#"><u>Loan Processors and Underwriters Licensing Requirements</u></a> <i>Describes mortgage loan originator licensing requirements pertaining to loan processors and underwriters.</i>
3	<a href="#"><u>Independent Loan Processing Companies</u></a> <i>Discusses the application of the licensing requirements of the Residential Mortgage Licensing Act to independent loan processing companies.</i>
4	<a href="#"><u>Financial Responsibility</u></a> <i>Describes the factors that the Department will consider when evaluating the financial responsibility of an applicant for a mortgage loan originator license.</i>
5	<a href="#"><u>Use of Unique Identifier</u></a> <i>Describes the requirements pertaining to the use of a unique identifier by mortgage bankers and mortgage loan originators.</i>

## MORTGAGE BANKING MISCELLANEOUS GUIDANCE DOCUMENTS

<u>Number</u>	<u>Title &amp; Description</u>
1	<a href="#"><u>Conference of State Bank Supervisors—Guidance on Nontraditional Mortgage Product Risks</u></a> <i>Discusses lender's obligations concerning nontraditional mortgage loans.</i>
2	<a href="#"><u>Illustrations of Consumer information on Nontraditional Mortgage Products</u></a> <i>Provides examples to assist mortgage bankers and mortgage loan originators to understand the guidance and to meet their obligations concerning nontraditional mortgage loans.</i>
3	<a href="#"><u>Conference of State Bank Supervisors—Statement on Subprime Mortgage Lending</u></a> <i>Discusses lender's obligations concerning subprime mortgage loans.</i>
4	<a href="#"><u>Mortgage Loan Originator License Maintenance, Renewal, and Surrender FAQs</u></a> <i>Answers common questions concerning maintenance, renewal, and surrender of mortgage loan originator licenses.</i>
5	<a href="#"><u>Mortgage Loan Originator License Application Process FAQs</u></a> <i>Answers common questions concerning the application process for mortgage loan originator licenses.</i>

- 6 [Mortgage Loan Originator General Licensing Questions](#)  
*Answers common questions concerning mortgage loan originators and licensing.*

## **INSTALLMENT LOAN MISCELLANEOUS GUIDANCE DOCUMENTS**

- | <u>Number</u> | <u>Title &amp; Description</u>                                                                                                                                                           |
|---------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1             | <a href="#">Installment Loan Application General Hearing Questions</a><br><i>Contains commonly asked hearing questions and topics for Installment Loan License Application hearings.</i> |
| 2             | <a href="#">Installment Loan Licensing FAQs</a><br><i>A list of commonly asked questions and answers regarding the Nebraska Installment Loan Act.</i>                                    |

## **DELAYED DEPOSIT SERVICES INTERPRETATIVE OPINIONS**

- | <u>Number</u> | <u>Title &amp; Description</u>                                                                                                                                                                                                          |
|---------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1             | <a href="#">Determining Maximum Service Fee That Can Be Charged By Delayed Deposit Licensees</a><br><i>Discusses the method for calculating the maximum fees that are allowed to be charged by delayed deposit services businesses.</i> |
| 2             | <a href="#">Definition of "Maker"</a><br><i>Discusses the requirements of the Act as they pertain to jointly owned bank accounts.</i>                                                                                                   |
| 3             | <a href="#">Definition of Check; Presentment; Penalty Charges; Prepayment</a><br><i>Discusses prepayment of a check, the presentment of a check, and the charging of a penalty for a non-negotiable check.</i>                          |
| 4             | <a href="#">Method of Payment</a><br><i>Discusses the circumstances under which a licensee can issue payments in a form other than cash.</i>                                                                                            |
| 5             | <a href="#">Holding of Checks</a><br><i>Discusses the requirements of the Act as they pertain to presenting checks and the thirty-four day holding period.</i>                                                                          |
| 6             | <a href="#">Collection of Returned Checks; Partial Collection Payments</a><br><i>Discusses the collection methods for checks returned for nonsufficient funds including the use of ACH and collection of partial items.</i>             |
| 7             | <a href="#">Collection Items; Documentation Required</a><br><i>Discusses the records which must be retained by licensees in connection with collection efforts on checks returned for nonsufficient funds.</i>                          |

- 8 [Use of the Terms "Loan" and "Payday Loan"](#)  
*Discusses the conditions under which delayed deposit services licensees may use the terms "loans" and "payday loans" to describe their business in advertising.*
- 9 [Extended Payment Plan](#)  
*Discusses the requirements concerning a maker's election to repay a delayed deposit transaction by means of an extended payment plan.*
- 10 [Rescission; Redemption](#)  
*Discusses a maker's right to rescind a delayed deposit transaction, and a maker's right to redeem a delayed deposit transaction.*
- 11. [Military Personnel, Spouses and Dependents](#)  
*Discusses limitations upon the provision of delayed deposit transactions to military personnel and their spouses and dependents.*

**DELAYED DEPOSIT SERVICES MISCELLANEOUS GUIDANCE DOCUMENTS**

<u>Number</u>	<u>Title &amp; Description</u>
1	<a href="#"><u>DDS Frequently Asked Questions</u></a> <i>A list of commonly asked questions and answers regarding the Nebraska Delayed Deposit Services Act.</i>
2	<a href="#"><u>DDS Rate Chart</u></a> <i>A chart to assist Nebraska delayed deposit services businesses with the computation of rates for delayed deposit services transactions ranging from \$5.00 to \$500.00.</i>
3	<a href="#"><u>DDS General Hearing Questions</u></a> <i>Contains commonly asked hearing questions and topics for Delayed Deposit Services Business Application hearings.</i>

**MONEY TRANSMITTER MISCELLANEOUS**

<u>Number</u>	<u>Title &amp; Description</u>
1	<a href="#"><u>Nebraska Money Transmitter License Description</u></a> <i>Discusses money transmitter license requirements and exemptions.</i>

## SECURITIES BUREAU

### SECURITIES INTERPRETATIVE OPINIONS

<u>Number</u>	<u>Title &amp; Description</u>
1	<u><a href="#">Certificates of Deposit</a></u> <i>Discusses the factors the Department will consider in determining whether a certificate of deposit constitutes a security as defined in the Securities Act.</i>
2	<u><a href="#">Exclusion from Definition of Security for Limited Liability Companies Which Are Actively Managed by Members</a></u> <i>Discusses the factors that the Department will consider in determining whether a limited liability company is actively managed by its members for purposes of the exclusion of such interests from the definition of "security."</i>
3	<u><a href="#">Applicability of the Securities Act of Nebraska to Offers Effected Through the Internet that do not Result in Sales to Nebraska Residents</a></u> <i>Discusses the conditions for out-of-state offerings conducted on the internet without registering the securities in Nebraska.</i>
4	<u><a href="#">Offers of "Free" Securities with Purchase of Item for Value and Section 8-1101(11)</a></u> <i>Discusses the registration requirements for securities that are given away in connection with a purchase of other items for value.</i>
5	<u><a href="#">Canadian Multijurisdictional Offerings in Nebraska</a></u> <i>Discusses registration requirements for Canadian Multijurisdictional Offerings.</i>
6	<u><a href="#">Shelf Registration by Coordination and Section 8-1106</a></u> <i>Discusses the procedures for filing a shelf registration of securities.</i>
7	<u><a href="#">Financial Institution Offerings and the Sections 8-1110(3), 8-1110(4) and 8-1110(5) Exemptions</a></u> <i>Discusses requirements for exemption from registration for offers and sales of financial institution securities.</i>
8	<u><a href="#">Isolated Transactions and the Section 8-1111(1) Exemption</a></u> <i>Discusses the factors that the Department will consider in determining whether an offering constitutes an isolated transaction.</i>
9	<u><a href="#">Sales of Securities to Existing Security Holders and the Section 8-1111(11) Exemption</a></u> <i>Discusses requirements for issuers wishing to rely upon the existing security holder exemption.</i>
10	<u><a href="#">Institutional Investors and the Section 8-1111(8) Exemption</a></u> <i>Discusses the types of institutions that can qualify for the exemption found in Section 8-1111(8).</i>

- 11 [Securities Subject to Conversion and the Section 8-1111\(14\) Exemption](#)  
*Discusses the types of transactions which qualify for the conversion exemption in Section 8-1111(14).*
- 12 [“Unit” Defined and the Section 8-1111\(5\) Exemption](#)  
*Discusses the definition of the term “unit” in determining whether a transaction qualifies for the exemption found in Section 8-1111(5).*
- 13 [Registered Broker-Dealers and the Sections 8-1111\(2\) and 8-1111\(3\) Exemptions](#)  
*Discusses broker-dealer registration requirements in connection with the exemptions found in Sections 8-1111(2) and 8-1111(3).*
- 14 [Private Securities Transactions by Agents and the Sections 8-1111\(9\), 8-1111\(16\) and 8-1111\(20\) Exemptions](#)  
*Discusses the requirement that the individual offering the securities must be registered as an agent of a broker-dealer if such individual is receiving commissions related to the sale of the security.*
- 15 [Determining Number of Clients of an Investment Adviser](#)  
*Discusses the factors and procedures for determining the number of clients of an investment adviser.*
- 16 [Applicability of the Securities Act of Nebraska to Persons Who Provide Investment Advisory Services as a Component of Other Financial Services](#)  
*Discusses the definition of “investment adviser” as it relates to individuals who provide financial planning.*
- 17 [Use of Certifications and Designations in Advertising by Investment Adviser Representatives and Broker-Dealer Agents](#)  
*Discusses prohibited practices in the use of certifications and designations in advertising by investment adviser representatives and broker-dealer agents.*
- 18 [Rescission Offers and Sections 8-1116, 8-1117 and 8-1118](#)  
*Discusses registration requirements related to rescission offers.*
- 19 [Merger and Acquisition Brokers](#)  
*Discusses broker-dealer registration requirements for merger and acquisition brokers*

## **SECURITIES MISCELLANEOUS GUIDANCE DOCUMENTS**

<u>Number</u>	<u>Title &amp; Description</u>
1	<a href="#"><u>Securities Exemption FAQs</u></a> <i>Answers frequently asked questions regarding securities exemptions and notice filings.</i>
2	<a href="#"><u>Raising Capital Through Securities Sales</u></a> <i>Brochure providing guidance regarding applicable securities laws and exemptions for businesses seeking to sell securities to raise capital.</i>



- 3 [Frequently Asked Questions Regarding Updated Interpretative Opinion No. 17](#)  
*Answers frequently asked questions regarding Interpretative Opinion No. 17*

## **SELLER-ASSISTED MARKETING ACT INTERPRETATIVE OPINION**

<u>Number</u>	<u>Title &amp; Description</u>
1	<a href="#"><u>Offers of Seller-Assisted Marketing Plans on the Internet</u></a> <i>Discusses the registration of seller-assisted marketing plans that are advertised via the internet.</i>

**NEBRASKA DEPARTMENT OF BANKING AND FINANCE**  
**SUPERVISORY ORDERS**

<u>Number</u>	<u>Title &amp; Description</u>
1	<a href="#"><u>NMLS Challenge Process</u></a> <i>Order adopting the challenge process for entities licensed via the NMLS.</i>
2	<a href="#"><u>Order Adopting Uniform State Test and Nebraska Specific Prelicense Education</u></a> <i>Order outlining the testing and prelicense education requirements for mortgage loan originators.</i>
3	<a href="#"><u>Order Requiring Credit Report with Renewal</u></a> <i>Order outlining procedures for submitting credit report with renewal of mortgage loan originator licenses.</i>
4	<a href="#"><u>Order Requiring Criminal History Request with Renewal</u></a> <i>Order outlining procedures for submitting criminal history requests with renewals of mortgage loan originator licenses.</i>
5	<a href="#"><u>Order Adopting Procedures for Reinstatement of Expired Licenses</u></a> <i>Order outlining procedures for requesting reinstatement of expired licenses.</i>
6	<a href="#"><u>Order Adopting Mortgage Report of Condition</u></a> <i>Order adopting the format and submission schedule for reports of condition of mortgage banker licensees and registrants.</i>
7	<a href="#"><u>Order Authorizing Additional Types of Permissible Investments</u></a> <i>Order authorizing additional types of permissible investments for money transmitters.</i>
8	<a href="#"><u>Order Implementing Authorized Delegate Reporting Requirements</u></a> <i>Order implementing authorized delegate reporting requirements for money transmitters.</i>
9	<a href="#"><u>Order Designating Securities Manuals Pursuant to Section 8-1111(2)(a)(iv) of the Securities Act of Nebraska</u></a> <i>Order designating approved securities manuals for purposes of the "manual" exemption.</i>
10	<a href="#"><u>Mandatory Money Transmitter Call Reports Order</u></a> <i>Order adopting mandatory call reports for money transmitters via the NMLS.</i>

## NEBRASKA DEPARTMENT OF BANKING AND FINANCE

### ADMINISTRATIVE RULES

#### Title 45-Banking Rules

<u>Chapter</u>	<u>Title &amp; Description</u>
1	Repealed (Effective November 25, 2018)
2	Repealed (Effective November 25, 2018)
3	Repealed (Effective November 25, 2018)
4	Repealed (Effective November 25, 2018)
5	Repealed (Effective November 25, 2018)
6	<u>General</u> <i>Establishes general standards for the maintenance of the records for state banks.</i>
7	<u>Data Processing Rider or Endorsement</u> <i>Sets forth necessary requirements for data processing riders or endorsements for state banks that use data processing entities to create or maintain their accounting records.</i>
8	<u>Articles of Incorporation</u> <i>Contains articles of incorporation filing requirements for state banks.</i>
9	<u>Change in Control (Repealed)</u> <i>Repealed (Effective January 9, 1991).</i>
10	Repealed (Effective November 25, 2018)
11	<u>Board of Directors; Residence (Repealed)</u> <i>Repealed (Effective October 10, 1987).</i>
12	<u>Paid-In Capital Stock Increase</u> <i>Establishes procedures for when paid-in capital stock is increased.</i>
13	Repealed (Effective November 25, 2018).
14	Repealed (Effective November 25, 2018)
15	<u>Executive Officer's License (Repealed)</u> <i>Repealed (Effective October 10, 1987)</i>

- 16      [Director, Officer or Employee Borrowing](#)  
*Establishes policies for when directors, officers or employees of a state bank borrow funds.*
- 17      [Officer Borrowing](#)  
*Sets forth procedures for when an officer of a state bank borrows or becomes indebted to another financial institution.*
- 18      [Pool Participation Approval](#)  
*Establishes the application requirement for pool participation approval by the Department.*
- 19      [Livestock Loans](#)  
*Contains requirements for the proper administration of livestock loans.*
- 20      [Loans Secured by Warehouse Receipts](#)  
*Establishes minimum standards for certain loans secured by warehouse receipts.*
- 21      [Trust Department Applications](#)  
*Establishes the application process for state banks to be approved to conduct trust business.*
- 22      Repealed (Effective November 25, 2018)
- 23      [Minimum Record Keeping Standards](#)  
*Establishes minimum record keeping standards for state banks.*
- 24      [Directors' Examinations Performed by Certified Public Accountants or Public Accountants](#)  
*Establishes procedures for when a state bank opts for one annual audit by an accountant or accounting firm, in lieu of an annual examination by the board of directors.*
- 25      [Standards for Acceptability and Scope of Examinations for Directors' Examinations](#)  
*Sets forth acceptability standards for, and the scope of, state bank annual directors' examinations.*
- 26      [Banks: Leasing of Personal Property](#)  
*Establishes authority for when state banks may lease personal property.*
- 27      [Schedule for Records Retention by Banks](#)  
*Contains the records retention schedule and requirements for state banks.*
- 28      [Rules of Practice and Procedure Applicable to Executive Officers Licenses Obtained from the Nebraska Department of Banking and Finance Pursuant to Nebraska Revised Statutes, 1943.](#)  
*Sets forth rules of practice and procedure for executive officer license applications, renewals, surrenders, cancellations and revocations for state banks.*
- 29      Repealed (Effective November 25, 2018)

- 30      Requirements for Purchases of Shares of Investment Companies  
*Contains rules governing when a state bank purchases investment company shares.*
- 31      Loans Secured by Deposit Accounts  
*Establishes regulations for loans secured by deposit accounts.*
- 32      Schedule for Retention of Records: Banks Exercising Trust Powers and Trust  
          Companies  
*Contains the records retention schedule and requirements for banks exercising trust powers and stand-alone trust companies.*

## Title 46— Industrial, Savings & Loan, Credit Union Rules

<u>Chapter</u>	<u>Title &amp; Description</u>
1	Repealed (Effective November 25, 2018)
2	Repealed (Effective November 25, 2018)
3	Repealed (Effective November 25, 2018)
4	Repealed (Effective November 25, 2018)
5	Repealed (Effective November 25, 2018)
6	Repealed (Effective November 25, 2018)
7	<a href="#"><u>Instructions for Conversion of a Savings and Loan or Building and Loan</u></a> <i>Directs industry to instructions on applications to convert from a mutual savings and loan to a stock form organization.</i>
8	<a href="#"><u>Minimum Capital Requirements Needed to Form a Newly-Organized Stock-Owned Savings &amp; Loan</u></a> <i>Establishes a schedule for minimum capital requirements for newly-organized stock-owned savings and loan associations.</i>
9	Repealed (Effective November 25, 2018)
10	<a href="#"><u>Supervisory Committee's Quarterly Inspections</u></a> <i>Establishes processes and procedures for quarterly inspections of credit union loans.</i>
11	<a href="#"><u>Supervisory Committee's Annual Audit</u></a> <i>Sets forth the minimum standards for annual audits of the books and records of credit unions.</i>
12	Repealed (Effective November 25, 2018)

## **Title 47—Electronic Transmission Terminals Rules**

<u>Chapter</u>	<u>Title &amp; Description\</u>
1	Repealed (Effective November 25, 2018)
2	Repealed (Effective November 25, 2018)
3	Repealed (Effective November 25, 2018)
4	Repealed (Effective November 25, 2018)
5	Repealed (Effective November 25, 2018)
6	Repealed (Effective November 25, 2018)
7	Repealed (Effective November 25, 2018)
8	Repealed (Effective November 25, 2018)
9	Repealed (Effective November 25, 2018)
10	Repealed (Effective November 25, 2018)
11	Repealed (Effective November 25, 2018)

## **Title 48—Securities Rules**

<u>Chapter</u>	<u>Title &amp; Description</u>
1	<u><a href="#">General Provisions</a></u> <i>Rule outlining general provisions applicable in all chapters of Title 48.</i>
2	<u><a href="#">Definitions</a></u> <u><a href="#">Chapter 2 Appendix</a></u> <i>Rule defining terms used in all chapters of Title 48.</i>
3	<u><a href="#">Definition of an Offer</a></u> <u><a href="#">Chapter 3 Appendix</a></u> <i>Rule defining the term "offer" as used in Title 48.</i>
4	<u><a href="#">Broker-Dealers</a></u> <u><a href="#">Chapter 4 Appendix</a></u> <i>Rule containing provisions governing broker-dealers registered in Nebraska.</i>
5	<u><a href="#">Issuer-Dealers</a></u> <i>Rule containing provisions governing issuer-dealers registered in Nebraska.</i>
6	<u><a href="#">Agents of Broker-Dealers</a></u> <u><a href="#">Chapter 6 Appendix</a></u> <i>Rule containing provisions governing agents of issuer-dealers registered in Nebraska.</i>
7	<u><a href="#">Investment Advisers</a></u> <u><a href="#">Chapter 7 Appendix</a></u> <i>Rule containing provisions governing investment advisers registered in Nebraska.</i>
8	<u><a href="#">Federal Covered Advisers</a></u> <i>Rule containing provisions governing federal covered advisers who have notice-filed in Nebraska.</i>
9	<u><a href="#">Investment Adviser Representatives</a></u> <i>Rule containing provisions governing investment advisers registered in Nebraska.</i>
10	<u><a href="#">Recordkeeping by Investment Advisers</a></u> <u><a href="#">Chapter 10 Appendix</a></u> <i>Rule prescribing record keeping requirements for investment advisers.</i>
11	<u><a href="#">Performance Based Compensation</a></u> <i>Rule prescribing requirements for investment advisers who receive performance based compensation.</i>



- 12 [Fraudulent, Dishonest and Unethical Business Practices](#)  
[Chapter 12 Appendix](#)  
*Rule defining conduct that constitutes fraudulent, dishonest, or unethical business practices for broker-dealers, agents of broker dealers, investment advisers, federal covered advisers, and investment adviser representatives.*
- 13 [Information Requirements for the Section 8-1110\(5\) Exchange Exemption](#)  
[Chapter 13 Appendix](#)  
*Rule prescribing filing requirements for issuers relying upon the exchange exemption.*
- 14 [Record-Keeping Requirements for the Section 8-1111\(3\) Exemption](#)  
*Rule prescribing requirement keeping requirements for issuers relying upon the Section 8-1111(3) exemption.*
- 15 [Information Requirements for the Section 8-1111\(9\) De Minimis Exemption](#)  
*Rule prescribing filing requirements for issuers relying upon the de minimis exemption.*
- 16 [Information Requirements for the Section 8-1111\(15\) Agricultural Cooperative Exemption](#)  
*Rule prescribing filing requirements for issuers relying upon the cooperative exemption.*
- 17 Repealed (effective November 27, 2019)
- 18 [Information Requirements for the Section 8-1111\(20\) Nebraska Intrastate Issuer Exemption](#)  
[Chapter 18 Appendix](#)  
*Rule prescribing filing requirements for issuers relying upon the Nebraska intrastate issuer exemption.*
- 19 [Requests to Cure Late Notice Filings](#)  
*Rule prescribing filing requirements for issuers seeking an Order curing a late-filed notice filing*
- 20 [Federal Covered Securities](#)  
[Chapter 20 Appendix](#)  
*Rule prescribing filing requirements for issuers offering federal covered securities in Nebraska.*

- 21 [North American Securities Administrators Association Statements of Policy](#)  
*Rule adopting various North American Securities Administrators Association Statements of Policy pertaining to the registration of securities.*  
[Asset Backed Securities](#)  
[Cattle Feeding Programs](#)  
[Church Extension Fund Securities](#)  
[Commodity Pool Programs](#)  
[Corporate Securities Definitions](#)  
[Debt Securities](#)  
[Electronic Offering Documents and Electronic Signatures](#)  
[Equipment Programs](#)  
[Impoundment of Proceeds](#)  
[Loans and Other Material Transactions](#)  
[Mortgage Program Guidelines](#)  
[Oil and Gas Programs](#)  
[Omnibus Guidelines](#)  
[Options and Warrants](#)  
[Preferred Stock](#)  
[Promoters Equity Investment](#)  
[Promotional Shares](#)  
[Real Estate Investment Trusts](#)  
[Real Estate Programs](#)  
[Specificity in Use of Proceeds](#)  
[Underwriting Expenses](#)  
[Unequal Voting Rights](#)  
[Unsound Financial Condition](#)
- 22 Repealed (effective November 27, 2019)
- 23 Repealed (effective November 27, 2019)
- 24 Repealed (effective November 27, 2019)
- 25 Repealed (effective November 27, 2019)
- 26 Repealed (effective November 27, 2019)
- 27 Repealed (effective November 27, 2019)
- 28 Repealed (effective November 27, 2019)
- 29 Repealed (effective November 27, 2019)
- 30 Repealed (effective November 27, 2019)
- 31 Repealed (effective November 27, 2019)

32 Repealed (effective November 27, 2019)

33 Repealed (effective November 27, 2019)

34 Repealed (effective November 27, 2019)

35 Repealed (Effective November 25, 2018)

36 Repealed (effective November 27, 2019)

37 [Sales of Securities at Financial Institutions](#)

*Rule prescribing requirements related to the sale of securities at financial institutions.*

38 [Information Requirements for the Section 8-1111\(23\) Notice](#)

*Rule prescribing filing requirements for issuers relying upon the Nebraska small intrastate issuer exemption.*

39 [Conditions and Information Requirements for the Section 8-1111\(24\)](#)

[Crowdfunding Exemption](#)

*Rule prescribing requirements for issuers conducting an intrastate crowdfunding offering.*

40 [Portal Operators](#)

*Rule prescribing requirements for portal operators facilitating intrastate crowdfunding offerings.*

41 [Integration of Exempt Offerings Pursuant to Section 8-1111](#)

*Rule prescribing factors that the Department will consider when determining whether offerings should be integrated.*

42 [Exclusion of Investment Advisers to Private Funds From the Definition of 'Investment Adviser'](#)

*Rule establishing an exclusion from the definition of "investment adviser" for advisers to private funds who meet certain requirements.*

## Title 49—Department Rules of Procedure

<u>Chapter</u>	<u>Title &amp; Description</u>
1	<u>General Provisions Relating to Practice and Procedures before the Department of Banking and Finance</u> <i>Rule prescribing definitions used throughout Title 49, and prescribing standards for computation of time under the rules and statutes applicable to a proceeding.</i>
2	<u>Rules of Practice and Procedure for Hearings in Application Cases</u> <i>Rule prescribing procedures related to hearings on applications filed with the Department.</i>
3	<u>Proof Requirements for Granting of Applications</u> <i>Rule prescribing proof requirements that must be met to approve applications before the Department.</i>
4	<u>Rule of Practice and Procedure for Hearings in Contested Cases</u> <i>Rule prescribing procedures for contested cases before the Department.</i>
5	<u>Rule of Procedure for Declaratory Actions</u> <i>Rule prescribing procedures for declaratory actions before the Department.</i>
6	<u>Rule of Procedure for Negotiated Rulemaking</u> <i>Rule prescribing procedures for negotiated rulemaking.</i>
7	<u>Rule of Procedure for Petitioning for Rule Making</u> <i>Rule prescribing procedures for petitioning the Department for rulemaking.</i>

## **Title 50—Consumer Rental Purchase Rules**

<u>Chapter</u>	<u>Title &amp; Description</u>
1	<a href="#"><u>Disclosure Requirements for Consumer Rental Purchase Agreements</u></a> <i>Rule prescribing requirements for disclosures in consumer rental purchase agreements and providing a model form.</i>