

LEGISLATURE OF NEBRASKA
ONE HUNDRED SEVENTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 23

Introduced by Williams, 36.

Read first time January 07, 2021

Committee: Banking, Commerce and Insurance

1 A BILL FOR AN ACT relating to real property; to amend sections
2 76-2207.30, 76-2218.02, 76-2221, 76-2228.01, 76-2228.02, 76-2230,
3 76-2231.01, and 76-2232, Revised Statutes Cumulative Supplement,
4 2020; to redefine terms; to change certain applicability,
5 qualification, and disciplinary provisions under the Real Property
6 Appraiser Act; to repeal the original sections; and to declare an
7 emergency.
8 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 76-2207.30, Revised Statutes Cumulative
2 Supplement, 2020, is amended to read:

3 76-2207.30 Financial Institutions Reform, Recovery, and Enforcement
4 Act of 1989 means the act as it existed on January 1, 2021 ~~2020~~.

5 Sec. 2. Section 76-2218.02, Revised Statutes Cumulative Supplement,
6 2020, is amended to read:

7 76-2218.02 Uniform Standards of Professional Appraisal Practice
8 means the standards adopted and promulgated by The Appraisal Foundation
9 as the standards existed on January 1, 2021 ~~2020~~.

10 Sec. 3. Section 76-2221, Revised Statutes Cumulative Supplement,
11 2020, is amended to read:

12 76-2221 The Real Property Appraiser Act shall not apply to:

13 (1) Any person ~~real property appraiser~~ who is a salaried employee of
14 (a) the federal government, (b) any agency of the state government or a
15 political subdivision which appraises real estate, (c) any insurance
16 company authorized to do business in this state, or (d) any bank, savings
17 bank, savings and loan association, building and loan association, credit
18 union, or small loan company licensed by this state or supervised or
19 regulated by or through federal enactments covering financial
20 institutions who renders an estimate or opinion of value of real estate
21 or any interest in real estate when such estimate or opinion is rendered
22 in connection with the salaried employee's employment for an entity
23 listed in subdivisions (a) through (d) of this subdivision, except that
24 any salaried employee of the entities listed in subdivisions (a) through
25 (d) of this subdivision who signs a report as a credentialed real
26 property appraiser shall be subject to the act and the Uniform Standards
27 of Professional Appraisal Practice. Any salaried employee of the entities
28 listed in subdivisions (a) through (d) of this subdivision who is a
29 credentialed real property appraiser and who does not sign a report as a
30 credentialed real property appraiser shall include the following
31 disclosure prominently with such report: This opinion of value may not

1 meet the minimum standards contained in the Uniform Standards of
2 Professional Appraisal Practice and is not governed by the Real Property
3 Appraiser Act;

4 (2) A person referred to in subsection (1) of section 81-885.16;

5 (3) Any person who provides assistance (a) in obtaining the data
6 upon which assignment results are based, (b) in the physical preparation
7 of a report, such as taking photographs, preparing charts, maps, or
8 graphs, or typing or printing the report, or (c) that does not directly
9 involve the exercise of judgment in arriving at the assignment results
10 set forth in the report;

11 (4) Any owner of real estate, employee of the owner, or attorney
12 licensed to practice law in this state representing the owner who renders
13 an estimate or opinion of value of the real estate or any interest in the
14 real estate when such estimate or opinion is for the purpose of real
15 estate taxation, or any other person who renders such an estimate or
16 opinion of value when that estimate or opinion requires a specialized
17 knowledge that a real property appraiser would not have, except that a
18 real property appraiser or a person licensed under the Nebraska Real
19 Estate License Act is not exempt under this subdivision;

20 (5) Any owner of real estate, employee of the owner, or attorney
21 licensed to practice law in this state representing the owner who renders
22 an estimate or opinion of value of real estate or any interest in real
23 estate or damages thereto when such estimate or opinion is offered as
24 testimony in any condemnation proceeding, or any other person who renders
25 such an estimate or opinion when that estimate or opinion requires a
26 specialized knowledge that a real property appraiser would not have,
27 except that a real property appraiser or a person licensed under the
28 Nebraska Real Estate License Act is not exempt under this subdivision;

29 (6) Any owner of real estate, employee of the owner, or attorney
30 licensed to practice law in this state representing the owner who renders
31 an estimate or opinion of value of the real estate or any interest in the

1 real estate when such estimate or opinion is offered in connection with a
2 legal matter involving real property;

3 (7) Any person appointed by a county board of equalization to act as
4 a referee pursuant to section 77-1502.01, except that any person who also
5 practices as an independent real property appraiser for others shall be
6 subject to the Real Property Appraiser Act and shall be credentialed
7 prior to engaging in such other real property appraisal practice. Any
8 real property appraiser appointed to act as a referee pursuant to section
9 77-1502.01 and who prepares a report for the county board of equalization
10 shall not sign such report as a credentialed real property appraiser and
11 shall include the following disclosure prominently with such report: This
12 opinion of value may not meet the minimum standards contained in the
13 Uniform Standards of Professional Appraisal Practice and is not governed
14 by the Real Property Appraiser Act;

15 (8) Any person who is appointed to serve as an appraiser pursuant to
16 section 76-706, except that if such person is a credential holder, he or
17 she shall (a) be subject to the scope of practice applicable to his or
18 her classification of credential and (b) comply with the Uniform
19 Standards of Professional Appraisal Practice, excluding standards 1
20 through 10; or

21 (9) Any person, including an independent contractor, retained by a
22 county to assist in the appraisal of real property as performed by the
23 county assessor of such county subject to the standards established by
24 the Tax Commissioner pursuant to section 77-1301.01. A person so retained
25 shall be under the direction and responsibility of the county assessor.

26 Sec. 4. Section 76-2228.01, Revised Statutes Cumulative Supplement,
27 2020, is amended to read:

28 76-2228.01 (1) To qualify for a credential as a trainee real
29 property appraiser, an applicant shall:

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

31 (b) Hold a high school diploma or a certificate of high school

1 equivalency or have education acceptable to the Real Property Appraiser
2 Board;

3 (c)(i) Have successfully completed and passed examination for no
4 fewer than seventy-five class hours in Real Property Appraiser Board-
5 approved qualifying education courses conducted by education providers as
6 prescribed by rules and regulations of the Real Property Appraiser Board
7 and completed the fifteen-hour National Uniform Standards of Professional
8 Appraisal Practice Course. Each course shall include a proctored, closed-
9 book examination pertinent to the material presented. Except for the
10 fifteen-hour National Uniform Standards of Professional Appraisal
11 Practice Course, which shall be completed within the two-year period
12 immediately preceding submission of the application, all class hours
13 shall be completed within the five-year period immediately preceding
14 submission of the application; or

15 (ii) Hold a ~~bachelor's degree or higher~~ in real estate from an
16 accredited degree-awarding college or university that has had all or part
17 of its curriculum approved by the Appraiser Qualifications Board as
18 required core curriculum or the equivalent as determined by the Appraiser
19 Qualifications Board. The degree shall be conferred within the five-year
20 period immediately preceding submission of the application. If the degree
21 in real estate or equivalent as approved by the Appraiser Qualifications
22 Board does not satisfy all required qualifying education for
23 credentialing, the remaining class hours shall be completed in Real
24 Property Appraiser Board-approved qualifying education pursuant to
25 subdivision (c)(i) of this subsection;

26 (d) As prescribed by rules and regulations of the Real Property
27 Appraiser Board, successfully complete a Real Property Appraiser Board-
28 approved supervisory real property appraiser and trainee course within
29 one year immediately preceding the date of application; and

30 (e) Submit two copies of legible ink-rolled fingerprint cards or
31 equivalent electronic fingerprint submissions to the Real Property

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

7 (2) Prior to engaging in real property appraisal practice, a trainee
8 real property appraiser shall submit a written request for supervisory
9 real property appraiser approval on a form approved by the board. The
10 request for supervisory real property appraiser approval may be made at
11 the time of application or any time after approval as a trainee real
12 property appraiser.

13 (3) To qualify for an upgraded credential, a trainee real property
14 appraiser shall satisfy the appropriate requirements as follows:

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

23 (b) Within the twelve months following approval of the applicant's
24 education and experience by the Real Property Appraiser Board for an
25 upgraded credential, pass an appropriate examination approved by the
26 Appraiser Qualifications Board for that upgraded credential, prescribed
27 by rules and regulations of the Real Property Appraiser Board, and
28 administered by a contracted testing service.

29 (4) To qualify for a credential as a licensed residential real
30 property appraiser, a trainee real property appraiser shall:

31 (a) Successfully complete and pass proctored, closed-book

1 examinations for no fewer than seventy-five additional class hours in
2 board-approved qualifying education courses conducted by education
3 providers as prescribed by rules and regulations of the board, or hold a
4 ~~bachelor's~~ degree in real estate from an accredited degree-awarding
5 college or university or equivalent pursuant to subdivision (1)(c)(ii) of
6 section 76-2230; and

7 (b) Meet the experience requirements pursuant to subdivision (1)(d)
8 of section 76-2230.

9 (5) To qualify for a credential as a certified residential real
10 property appraiser, a trainee real property appraiser shall:

11 (a) Meet the postsecondary educational requirements pursuant to
12 subdivisions (1)(b) and (c) of section 76-2231.01;

13 (b) Successfully complete and pass proctored, closed-book
14 examinations for no fewer than one hundred twenty-five additional class
15 hours in board-approved qualifying education courses conducted by
16 education providers as prescribed by rules and regulations of the board,
17 or hold a ~~bachelor's~~ degree in real estate from an accredited degree-
18 awarding college or university or equivalent pursuant to subdivision (1)
19 (d)(ii) of section 76-2231.01; and

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

22 (6) To qualify for a credential as a certified general real property
23 appraiser, a trainee real property appraiser shall:

24 (a) Meet the postsecondary educational requirements pursuant to
25 subdivisions (1)(b) and (c) of section 76-2232;

26 (b) Successfully complete and pass proctored, closed-book
27 examinations for no fewer than two hundred twenty-five additional class
28 hours in board-approved qualifying education courses conducted by
29 education providers as prescribed by rules and regulations of the board,
30 or hold a ~~bachelor's~~ degree in real estate from an accredited degree-
31 awarding college or university or equivalent pursuant to subdivision (1)

1 (d)(ii) of section 76-2232; and

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

4 (7) The scope of practice for the trainee real property appraiser
5 shall be limited to real property appraisal practice assignments that the
6 supervisory certified real property appraiser is permitted to engage in
7 by his or her current credential and that the supervisory real property
8 appraiser is competent to engage in.

9 Sec. 5. Section 76-2228.02, Revised Statutes Cumulative Supplement,
10 2020, is amended to read:

11 76-2228.02 (1) Each trainee real property appraiser's experience
12 shall be subject to direct supervision by a supervisory real property
13 appraiser. To qualify as a supervisory real property appraiser, a real
14 property appraiser shall:

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

17 (b) Have held a certified real property appraiser credential in this
18 state, or the equivalent in any other jurisdiction, for a minimum of
19 three years immediately preceding the date of the written request for
20 approval as supervisory real property appraiser;

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

28 (d) As prescribed by rules and regulations of the board, have
29 successfully completed a board-approved supervisory real property
30 appraiser and trainee course preceding the date the written request for
31 approval as supervisory real property appraiser is submitted by the

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

3 (e) Certify that he or she understands his or her responsibilities
4 and obligations under the Real Property Appraiser Act as a supervisory
5 real property appraiser and applies his or her signature to the written
6 request for approval as supervisory real property appraiser submitted by
7 the applicant or trainee real property appraiser.

8 (2) The supervisory real property appraiser shall be responsible for
9 the training and direct supervision of the trainee real property
10 appraiser's experience by:

11 (a) Accepting responsibility for the report by applying his or her
12 signature and certifying that the report is in compliance with the
13 Uniform Standards of Professional Appraisal Practice;

14 (b) Reviewing the trainee real property appraiser reports; and

15 (c) Personally inspecting each appraised property with the trainee
16 real property appraiser as is consistent with his or her scope of
17 practice until the supervisory real property appraiser determines that
18 the trainee real property appraiser is competent in accordance with the
19 competency rule of the Uniform Standards of Professional Appraisal
20 Practice.

21 (3) A certified real property appraiser disciplined by the board or
22 any other appraiser regulatory agency in another jurisdiction, which
23 discipline may or may not have limited the real property appraiser's
24 legal eligibility to engage in real property appraisal practice, shall
25 not be eligible as a supervisory real property appraiser as of the date
26 disciplinary action was imposed against the appraiser by the board or any
27 other appraiser regulatory agency. The certified real property appraiser
28 shall be considered to be in good standing and eligible as a supervisory
29 real property appraiser upon the successful completion of disciplinary
30 action that does not limit the real property appraiser's legal
31 eligibility to engage in real property appraisal practice, or three years

1 after the successful completion of disciplinary action that limits the
2 real property appraiser's legal eligibility to engage in real property
3 appraisal practice. Any action taken by the board or any other appraiser
4 regulatory agency in another jurisdiction, which may or may not limit the
5 real property appraiser's legal eligibility to engage in real property
6 appraisal practice, involving any jurisdiction's isolated administrative
7 responsibilities including, but not limited to, late payment of fees
8 related to credentialing, failure to timely renew a credential, or
9 failure to provide notification of a change in contact information, is
10 not disciplinary action for the purpose of this subsection.

11 (4) The trainee real property appraiser may have more than one
12 supervisory real property appraiser, but a supervisory real property
13 appraiser may not supervise more than three trainee real property
14 appraisers at one time.

15 (5) As prescribed by rules and regulations of the board, an
16 appraisal experience log shall be maintained jointly by the supervisory
17 real property appraiser and the trainee real property appraiser.

18 Sec. 6. Section 76-2230, Revised Statutes Cumulative Supplement,
19 2020, is amended to read:

20 76-2230 (1) To qualify for a credential as a licensed residential
21 real property appraiser, an applicant shall:

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

23 (b) Hold a high school diploma or a certificate of high school
24 equivalency or have education acceptable to the Real Property Appraiser
25 Board;

26 (c)(i) Have successfully completed and passed examination for no
27 fewer than one hundred fifty class hours in Real Property Appraiser
28 Board-approved qualifying education courses conducted by education
29 providers as prescribed by rules and regulations of the Real Property
30 Appraiser Board and completed the fifteen-hour National Uniform Standards
31 of Professional Appraisal Practice Course. Each course shall include a

1 proctored, closed-book examination pertinent to the material presented;
2 or

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

12 (d) Have no fewer than one thousand hours of experience as
13 prescribed by rules and regulations of the Real Property Appraiser Board.
14 The required experience shall be acceptable to the Real Property
15 Appraiser Board and subject to review and determination as to conformity
16 with the Uniform Standards of Professional Appraisal Practice. The
17 experience shall have occurred during a period of no fewer than six
18 months;

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

27 (f) Within the twelve months following approval of the applicant's
28 education and experience by the Real Property Appraiser Board, pass a
29 licensed residential real property appraiser examination, certified
30 residential real property appraiser examination, or certified general
31 real property appraiser examination, approved by the Appraiser

1 Qualifications Board, prescribed by rules and regulations 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 residential
5 real property appraiser shall satisfy the appropriate requirements as
6 follows:

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

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

21 (3) To qualify for a credential as a certified residential real
22 property appraiser, a licensed residential real property appraiser shall:

23 (a)(i) Meet the postsecondary educational requirements pursuant to
24 subdivisions (1)(b) and (c) of section 76-2231.01; or

25 (ii)(A) Have held a credential as a licensed residential real
26 property appraiser for a minimum of five years; and

27 (B) Not have been subject to a nonappealable disciplinary action by
28 the board or any other jurisdiction, which action limited the real
29 property appraiser's legal eligibility to engage in real property
30 appraisal practice within five years immediately preceding the date of
31 application for the certified residential real property appraiser

1 credential;

2 (b) Successfully complete and pass proctored, closed-book
3 examinations for no fewer than fifty additional class hours in board-
4 approved qualifying education courses conducted by education providers as
5 prescribed by rules and regulations of the board, or hold a ~~bachelor's~~
6 degree in real estate from an accredited degree-awarding college or
7 university or equivalent pursuant to subdivision (1)(d)(ii) of section
8 76-2231.01; and

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

11 (4) To qualify for a credential as a certified general real property
12 appraiser, a licensed residential real property appraiser shall:

13 (a) Meet the postsecondary educational requirements pursuant to
14 subdivisions (1)(b) and (c) of section 76-2232;

15 (b) Successfully complete and pass proctored, closed-book
16 examinations for no fewer than one hundred fifty additional class hours
17 in board-approved qualifying education courses conducted by education
18 providers as prescribed by rules and regulations of the board, or hold a
19 ~~bachelor's~~ degree in real estate from an accredited degree-awarding
20 college or university or equivalent pursuant to subdivision (1)(d)(ii) of
21 section 76-2232; and

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

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

27 (6) The scope of practice for a licensed residential real property
28 appraiser shall be limited to real property appraisal practice concerning
29 noncomplex residential real property or real estate having no more than
30 four units, if any, with a transaction value of less than one million
31 dollars and complex residential real property or real estate having no

1 more than four units, if any, with a transaction value of less than four
2 ~~two~~ hundred ~~fifty~~ thousand dollars. The appraisal of subdivisions for
3 which a development analysis or appraisal is necessary is not included in
4 the scope of practice for a licensed residential real property appraiser.

5 Sec. 7. Section 76-2231.01, Revised Statutes Cumulative Supplement,
6 2020, is amended to read:

7 76-2231.01 (1) To qualify for a credential as a certified
8 residential real property appraiser, an applicant shall:

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

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

12 (ii) Hold an associate's degree from an accredited degree-awarding
13 community college, college, or university in the study of business
14 administration, accounting, finance, economics, or real estate;

15 (iii) Successfully complete thirty semester hours of college-level
16 education from an accredited degree-awarding community college, college,
17 or university that includes:

18 (A) Three semester hours in each of the following: English
19 composition; microeconomics; macroeconomics; finance; algebra, geometry,
20 or higher mathematics; statistics; computer science; and business law or
21 real estate law; and

22 (B) Three semester hours each in two elective courses in any of the
23 topics listed in subdivision (b)(iii)(A) of this subsection, or in
24 accounting, geography, agricultural economics, business management, or
25 real estate;

26 (iv) Successfully complete thirty semester hours of the College-
27 Level Examination Program from an accredited degree-awarding community
28 college, college, or university that includes three semester hours in
29 each of the following subject matter areas: College algebra; college
30 composition; college composition modular; college mathematics; principles
31 of macroeconomics; principles of microeconomics; introductory business

1 law; and information systems; or

2 (v) Successfully complete any combination of subdivisions (b)(iii)
3 and (iv) of this subsection that ensures coverage of all topics and hours
4 identified in subdivision (b)(iii) of this subsection;

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

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

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

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

14 (d)(i) Have successfully completed and passed examination for no
15 fewer than two hundred class hours in Real Property Appraiser Board-
16 approved qualifying education courses conducted by education providers as
17 prescribed by rules and regulations of the Real Property Appraiser Board
18 and completed the fifteen-hour National Uniform Standards of Professional
19 Appraisal Practice Course. Each course shall include a proctored, closed-
20 book examination pertinent to the material presented; or

21 (ii) Hold a ~~bachelor's degree or higher~~ in real estate from an
22 accredited degree-awarding college or university that has had all or part
23 of its curriculum approved by the Appraiser Qualifications Board as
24 required core curriculum or the equivalent as determined by the Appraiser
25 Qualifications Board. If the degree in real estate or equivalent as
26 approved by the Appraiser Qualifications Board does not satisfy all
27 required qualifying education for credentialing, the remaining class
28 hours shall be completed in Real Property Appraiser Board-approved
29 qualifying education pursuant to subdivision (d)(i) of this subsection;

30 (e) Have no fewer than one thousand five hundred hours of experience
31 as prescribed by rules and regulations of the Real Property Appraiser

1 Board. The required experience shall be acceptable to the Real Property
2 Appraiser Board and subject to review and determination as to conformity
3 with the Uniform Standards of Professional Appraisal Practice. The
4 experience shall have occurred during a period of no fewer than twelve
5 months;

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

14 (g) Within the twelve months following approval of the applicant's
15 education and experience by the Real Property Appraiser Board, pass a
16 certified residential real property appraiser examination or certified
17 general real property appraiser examination, approved by the Appraiser
18 Qualifications Board, prescribed by rules and regulations of the Real
19 Property Appraiser Board, and administered by a contracted testing
20 service.

21 (2) To qualify for an upgraded credential, a certified residential
22 real property appraiser shall satisfy the following requirements:

23 (a) Submit two copies of legible ink-rolled fingerprint cards or
24 equivalent electronic fingerprint submissions to the Real Property
25 Appraiser Board for delivery to the Nebraska State Patrol in a form
26 approved by both the Nebraska State Patrol and the Federal Bureau of
27 Investigation. A fingerprint-based national criminal history record check
28 shall be conducted through the Nebraska State Patrol and the Federal
29 Bureau of Investigation with such record check to be carried out by the
30 Real Property Appraiser Board; and

31 (b) Within the twelve months following approval of the applicant's

1 education and experience by the Real Property Appraiser Board for an
2 upgrade to a certified general real property appraiser credential, pass a
3 certified general real property appraiser examination approved by the
4 Appraiser Qualifications Board, prescribed by rules and regulations of
5 the Real Property Appraiser Board, and administered by a contracted
6 testing service.

7 (3) To qualify for a credential as a certified general real property
8 appraiser, a certified residential real property appraiser shall:

9 (a) Meet the postsecondary educational requirements pursuant to
10 subdivisions (1)(b) and (c) of section 76-2232;

11 (b) Successfully complete and pass proctored, closed-book
12 examinations for no fewer than one hundred additional class hours in
13 board-approved qualifying education courses conducted by education
14 providers as prescribed by rules and regulations of the board, or hold a
15 ~~bachelor's~~ degree in real estate from an accredited degree-awarding
16 college or university or equivalent pursuant to subdivision (1)(d)(ii) of
17 section 76-2232; and

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

20 (4) A certified residential real property appraiser shall satisfy
21 the requirements for the trainee real property appraiser credential and
22 licensed residential real property appraiser credential for a downgraded
23 credential. If requested, evidence acceptable to the Real Property
24 Appraiser Board concerning the experience shall be presented along with
25 an application in the form of written reports or file memoranda.

26 (5) The scope of practice for a certified residential real property
27 appraiser shall be limited to real property appraisal practice concerning
28 residential real property or real estate having no more than four
29 residential units, if any, without regard to transaction value or
30 complexity. The appraisal of subdivisions for which a development
31 analysis or appraisal is necessary is not included in the scope of

1 practice for a certified residential real property appraiser.

2 Sec. 8. Section 76-2232, Revised Statutes Cumulative Supplement,
3 2020, is amended to read:

4 76-2232 (1) To qualify for a credential as a certified general real
5 property appraiser, an applicant shall:

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

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

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

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

12 (ii) A foreign degree credential evaluation service company that is
13 a member of the National Association of Credential Evaluation Services;
14 or

15 (iii) A foreign degree credential evaluation service company that
16 provides equivalency evaluation reports accepted by an accredited degree-
17 awarding college or university;

18 (d)(i) Have successfully completed and passed examination for no
19 fewer than three hundred class hours in Real Property Appraiser Board-
20 approved qualifying education courses conducted by education providers as
21 prescribed by rules and regulations of the Real Property Appraiser Board
22 and completed the fifteen-hour National Uniform Standards of Professional
23 Appraisal Practice Course. Each course shall include a proctored, closed-
24 book examination pertinent to the material presented; or

25 (ii) Hold a ~~bachelor's degree or higher~~ in real estate from an
26 accredited degree-awarding college or university that has had all or part
27 of its curriculum approved by the Appraiser Qualifications Board as
28 required core curriculum or the equivalent as determined by the Appraiser
29 Qualifications Board. If the degree in real estate or equivalent as
30 approved by the Appraiser Qualifications Board does not satisfy all
31 required qualifying education for credentialing, the remaining class

1 hours shall be completed in Real Property Appraiser Board-approved
2 qualifying education pursuant to subdivision (d)(i) of this subsection;

3 (e) Have no fewer than three thousand hours of experience, of which
4 one thousand five hundred hours shall be in nonresidential appraisal
5 work, as prescribed by rules and regulations of the Real Property
6 Appraiser Board. The required experience shall be acceptable to the Real
7 Property Appraiser Board and subject to review and determination as to
8 conformity with the Uniform Standards of Professional Appraisal Practice.
9 The experience shall have occurred during a period of no fewer than
10 eighteen months;

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

19 (g) Within the twelve months following approval of the applicant's
20 education and experience by the Real Property Appraiser Board, pass a
21 certified general real property appraiser examination, approved by the
22 Appraiser Qualifications Board, prescribed by rules and regulations of
23 the Real Property Appraiser Board, and administered by a contracted
24 testing service.

25 (2) A certified general real property appraiser shall satisfy the
26 requirements for the trainee real property appraiser credential, licensed
27 residential real property appraiser credential, and certified residential
28 real property appraiser credential for a downgraded credential. If
29 requested, evidence acceptable to the Real Property Appraiser Board
30 concerning the experience shall be presented along with an application in
31 the form of written reports or file memoranda.

1 (3) The scope of practice for the certified general real property
2 appraiser shall include real property appraisal practice concerning all
3 types of real property or real estate that appraiser is competent to
4 engage in.

5 Sec. 9. Original sections 76-2207.30, 76-2218.02, 76-2221,
6 76-2228.01, 76-2228.02, 76-2230, 76-2231.01, and 76-2232, Revised
7 Statutes Cumulative Supplement, 2020, are repealed.

8 Sec. 10. Since an emergency exists, this act takes effect when
9 passed and approved according to law.