

LEGISLATURE OF NEBRASKA
ONE HUNDRED SIXTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 454

Introduced by Clements, 2.

Read first time January 18, 2019

Committee: Banking, Commerce and Insurance

- 1 A BILL FOR AN ACT relating to real estate licenses; to amend section
- 2 81-885.13, Revised Statutes Cumulative Supplement, 2018; to
- 3 eliminate a high school diploma or high school equivalency
- 4 requirement for issuance of license; and to repeal the original
- 5 section.
- 6 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 81-885.13, Revised Statutes Cumulative
2 Supplement, 2018, is amended to read:

3 81-885.13 (1) No broker's or salesperson's license shall be issued
4 to any person who has not attained the age of nineteen years. ~~No broker's
5 or salesperson's license shall be issued to any person who is not a high
6 school graduate or the holder of a certificate of high school
7 equivalency.~~

8 (2) Each applicant for a salesperson's license shall furnish
9 evidence that he or she has completed two courses in real estate
10 subjects, approved by the commission, composed of not less than sixty
11 class hours of study or, in lieu thereof, courses delivered in a distance
12 education format approved by the commission.

13 (3) Each applicant for a broker's license shall either (a) have
14 first served actively for two years as a licensed salesperson or broker
15 and shall furnish evidence of completion of sixty class hours in addition
16 to the hours required by subsection (2) of this section in a course of
17 study approved by the commission or, in lieu thereof, courses delivered
18 in a distance education format approved by the commission, or (b) furnish
19 a certificate that he or she has passed a course of at least eighteen
20 credit hours in subjects related to real estate at an accredited
21 university or college, or completed six courses in real estate subjects
22 composed of not less than one hundred eighty class hours in a course of
23 study approved by the commission or, in lieu thereof, courses delivered
24 in a distance education format approved by the commission.

25 (4) Each applicant for a broker's license must pass a written
26 examination covering generally the matters confronting real estate
27 brokers, and each applicant for a salesperson's license must pass a
28 written examination covering generally the matters confronting real
29 estate salespersons. Such examination may be taken before the commission
30 or any person designated by the commission. Failure to pass the
31 examination shall be grounds for denial of a license without further

1 hearing. Within thirty days after passing the examination the applicant
2 must complete all requirements necessary for the issuance of a license.
3 The commission may prepare and distribute to licensees under the Nebraska
4 Real Estate License Act informational material deemed of assistance in
5 the conduct of their business.

6 (5) An applicant for an original broker's or salesperson's license
7 shall be subject to fingerprinting and a check of his or her criminal
8 history record information maintained by the Federal Bureau of
9 Investigation through the Nebraska State Patrol. After filing application
10 for a license, each applicant shall furnish directly to the Nebraska
11 State Patrol, or to a fingerprint processing service that may be selected
12 by the commission for this purpose, a full set of fingerprints to enable
13 a criminal background investigation to be conducted. The applicant shall
14 request that the Nebraska State Patrol submit the fingerprints to the
15 Federal Bureau of Investigation for a national criminal history record
16 check. The applicant shall pay the actual cost, if any, of the
17 fingerprinting and check of his or her criminal history record
18 information. The applicant shall authorize release of the national
19 criminal history record check to the commission.

20 (6) Courses of study, referred to in subsections (2) and (3) of this
21 section, shall include courses offered by private proprietary real estate
22 schools when such courses are prescribed by the commission and are taught
23 by instructors approved by the commission. The commission shall monitor
24 schools offering approved real estate courses and for good cause shall
25 have authority to suspend or withdraw approval of such courses or
26 instructors.

27 Sec. 2. Original section 81-885.13, Revised Statutes Cumulative
28 Supplement, 2018, is repealed.