

LEGISLATURE OF NEBRASKA
ONE HUNDRED SEVENTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 706

Introduced by Williams, 36.

Read first time January 05, 2022

Committee:

1 A BILL FOR AN ACT relating to the Real Property Appraiser Act; to amend
2 sections 76-2201, 76-2203, 76-2207.23, and 76-2218, Reissue Revised
3 Statutes of Nebraska, sections 76-2233.01 and 76-2236, Revised
4 Statutes Cumulative Supplement, 2020, and sections 76-2207.30,
5 76-2221, 76-2230, 76-2231.01, and 76-2232, Revised Statutes
6 Supplement, 2021; to define and redefine terms; to change provisions
7 relating to continuing education, experience, and educational
8 requirements for real property appraisers; to change provisions
9 relating to exemptions to the Real Property Appraiser Act; to change
10 provisions relating to temporary credentials for nonresident real
11 property appraisers; to harmonize provisions; to repeal the original
12 sections; and to declare an emergency.
13 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 76-2201, Reissue Revised Statutes of Nebraska, is
2 amended to read:

3 76-2201 Sections 76-2201 to 76-2250 and section 5 of this act shall
4 be known and may be cited as the Real Property Appraiser Act.

5 Sec. 2. Section 76-2203, Reissue Revised Statutes of Nebraska, is
6 amended to read:

7 76-2203 For purposes of the Real Property Appraiser Act, the
8 definitions found in sections 76-2203.01 to 76-2219.02 and section 5 of
9 this act shall be used.

10 Sec. 3. Section 76-2207.23, Reissue Revised Statutes of Nebraska, is
11 amended to read:

12 76-2207.23 Completed application means an application for
13 credentialing has been processed, all statutory requirements for a
14 credential to be issued ~~awarded~~ have been met by the applicant, and all
15 required documentation is submitted to the board for final consideration.

16 Sec. 4. Section 76-2207.30, Revised Statutes Supplement, 2021, is
17 amended to read:

18 76-2207.30 Financial Institutions Reform, Recovery, and Enforcement
19 Act of 1989 means the act as it existed on January 1, 2022 ~~2021~~.

20 Sec. 5. PAREA program means a practical applications of real estate
21 appraisal program approved by the Appraiser Qualifications Board as
22 prescribed by rules and regulations of the Real Property Appraiser Board.

23 Sec. 6. Section 76-2218, Reissue Revised Statutes of Nebraska, is
24 amended to read:

25 76-2218 (1) Except as provided in subsections (2) through (6) ~~(2)~~
26 ~~and (3)~~ of this section, two-year continuing education period means the
27 period of twenty-four months commencing on January 1 and completed on
28 December 31 of the following year.

29 (2) For a ~~In the case of~~ new real property appraiser credential
30 ~~holders~~ credentialed prior to July 1 pursuant to section 76-2228.01,
31 76-2230, 76-2231.01, or 76-2232, two-year continuing education period

1 means the period commencing on the date of initial credentialing and
2 completed on December 31 of the following year.

3 (3) For a In the case of new real property appraiser credential
4 holders credentialed on or and after July 1 pursuant to section
5 76-2228.01, 76-2230, 76-2231.01, or 76-2232, two-year continuing
6 education period means the period of twenty-four months commencing on
7 January 1 of the following year following the date of initial
8 credentialing.

9 (4) For a new real property appraiser credentialed pursuant to
10 section 76-2233 who held a valid credential of the same class to engage
11 in real property appraisal practice under the laws of another
12 jurisdiction on January 1 of the year in which the credential was issued
13 by the board, two-year continuing education period means the period of
14 twenty-four months commencing on January 1 of the year in which the
15 credential was issued by the board.

16 (5) For a new real property appraiser credentialed pursuant to
17 section 76-2233 who (a) did not hold a valid credential of the same class
18 to engage in real property appraisal practice under the laws of another
19 jurisdiction on January 1 of the year in which the credential was issued
20 by the board and (b) was credentialed pursuant to section 76-2233 prior
21 to July 1, two-year continuing education period means the period
22 commencing on the date of initial credentialing and completed on December
23 31 of the following year.

24 (6) For a new real property appraiser credentialed pursuant to
25 section 76-2233 who (a) did not hold a valid credential of the same class
26 to engage in real property appraisal practice under the laws of another
27 jurisdiction on January 1 of the year in which the credential was issued
28 by the board and (b) was credentialed pursuant to section 76-2233 on or
29 after July 1, two-year continuing education period means the period of
30 twenty-four months commencing on January 1 of the year following the date
31 of initial credentialing.

1 Sec. 7. Section 76-2221, Revised Statutes Supplement, 2021, is
2 amended to read:

3 76-2221 The Real Property Appraiser Act shall not apply to:

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

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

27 (3) Any person who provides assistance (a) in obtaining the data
28 upon which assignment results are based, (b) in the physical preparation
29 of a report, such as taking photographs, preparing charts, maps, or
30 graphs, or typing or printing the report, or (c) that does not directly
31 involve the exercise of judgment in arriving at the assignment results

1 set forth in the report;

2 (4) Any owner of real estate, employee of the owner, or attorney
3 licensed to practice law in this state representing the owner who renders
4 an estimate or opinion of value of the real estate or any interest in the
5 real estate when such estimate or opinion is for the purpose of real
6 estate taxation, or any other person who renders such an estimate or
7 opinion of value when that estimate or opinion requires a specialized
8 knowledge that a real property appraiser would not have, ~~except that a~~
9 ~~real property appraiser or a person licensed under the Nebraska Real~~
10 ~~Estate License Act is not exempt under this subdivision;~~

11 (5) 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 real estate or any interest in real
14 estate or damages thereto when such estimate or opinion is offered as
15 testimony in any condemnation proceeding, or any other person who renders
16 such an estimate or opinion when that estimate or opinion requires a
17 specialized knowledge that a real property appraiser would not have,
18 ~~except that a real property appraiser or a person licensed under the~~
19 ~~Nebraska Real Estate License Act is not exempt under this subdivision;~~

20 (6) 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 the real estate or any interest in the
23 real estate when such estimate or opinion is offered in connection with a
24 legal matter involving real property;

25 (7) Any person appointed by a county board of equalization to act as
26 a referee pursuant to section 77-1502.01, except that any person who also
27 practices as an independent real property appraiser for others shall be
28 subject to the Real Property Appraiser Act and shall be credentialed
29 prior to engaging in such other real property appraisal practice. Any
30 real property appraiser appointed to act as a referee pursuant to section
31 77-1502.01 and who prepares a report for the county board of equalization

1 shall not sign such report as a credentialed real property appraiser and
2 shall include the following disclosure prominently with such report: This
3 opinion of value may not meet the minimum standards contained in the
4 Uniform Standards of Professional Appraisal Practice and is not governed
5 by the Real Property Appraiser Act;

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

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

17 Sec. 8. Section 76-2230, Revised Statutes Supplement, 2021, is
18 amended to read:

19 76-2230 (1) To qualify for a credential as a licensed residential
20 real property appraiser, an applicant shall:

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

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

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

1 or

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

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

18 (ii) Successfully complete a PAREA program. If the PAREA program
19 does not satisfy all required experience for credentialing, the remaining
20 experience hours shall be completed pursuant to subdivision (d)(i) of
21 this subsection;

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

30 (f) Within the twelve months following approval of the applicant's
31 education and experience by the Real Property Appraiser Board, pass a

1 licensed residential real property appraiser examination, certified
2 residential real property appraiser examination, or certified general
3 real property appraiser examination, approved by the Appraiser
4 Qualifications Board, prescribed by rules and regulations of the Real
5 Property Appraiser Board, and administered by a contracted testing
6 service.

7 (2) To qualify for an upgraded credential, a licensed residential
8 real property appraiser shall satisfy the appropriate requirements as
9 follows:

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

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

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

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

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

30 (B) Not have been subject to a nonappealable disciplinary action by
31 the board or any other jurisdiction, which action limited the real

1 property appraiser's legal eligibility to engage in real property
2 appraisal practice within five years immediately preceding the date of
3 application for the certified residential real property appraiser
4 credential;

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

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

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

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

17 (b) Successfully complete and pass proctored, closed-book
18 examinations for no fewer than one hundred fifty additional class hours
19 in board-approved qualifying education courses conducted by education
20 providers as prescribed by rules and regulations of the board, or hold a
21 degree in real estate from an accredited degree-awarding college or
22 university or equivalent pursuant to subdivision (1)(d)(ii) of section
23 76-2232; and

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

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

29 (6) The scope of practice for a licensed residential real property
30 appraiser shall be limited to real property appraisal practice concerning
31 noncomplex residential real property or real estate having no more than

1 four units, if any, with a transaction value of less than one million
2 dollars and complex residential real property or real estate having no
3 more than four units, if any, with a transaction value of less than four
4 hundred thousand dollars. The appraisal of subdivisions for which a
5 development analysis or appraisal is necessary is not included in the
6 scope of practice for a licensed residential real property appraiser.

7 Sec. 9. Section 76-2231.01, Revised Statutes Supplement, 2021, is
8 amended to read:

9 76-2231.01 (1) To qualify for a credential as a certified
10 residential real property appraiser, an applicant shall:

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

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

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

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

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

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

28 (iv) Successfully complete thirty semester hours of the College-
29 Level Examination Program ~~from an accredited degree-awarding community~~
30 ~~college, college, or university~~ that includes:

31 (A) Three ~~three~~ semester hours in each of the following subject

1 matter areas: College algebra; ~~college composition~~; college composition
2 modular; ~~college mathematics~~; principles of macroeconomics; principles of
3 microeconomics; introductory business law; and information systems; and
4 ~~or~~

5 (B) Six semester hours in each of the following subject matter
6 areas: College composition; and college mathematics; or

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

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

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

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

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

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

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

1 for credentialing, the remaining class hours shall be completed in Real
2 Property Appraiser Board-approved qualifying education pursuant to
3 subdivision (d)(i) of this subsection;

4 (e)(i) ~~(e)~~ Have no fewer than one thousand five hundred hours of
5 experience 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 twelve months; or

11 (ii) Successfully complete a PAREA program. If the PAREA program
12 does not satisfy all required experience for credentialing, the remaining
13 experience hours shall be completed pursuant to subdivision (e)(i) of
14 this subsection;

15 (f) 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 (g) Within the twelve months following approval of the applicant's
24 education and experience by the Real Property Appraiser Board, pass a
25 certified residential real property appraiser examination or certified
26 general real property appraiser examination, approved by the Appraiser
27 Qualifications Board, prescribed by rules and regulations of the Real
28 Property Appraiser Board, and administered by a contracted testing
29 service.

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

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

9 (b) Within the twelve months following approval of the applicant's
10 education and experience by the Real Property Appraiser Board for an
11 upgrade to a certified general real property appraiser credential, pass a
12 certified general real property appraiser examination approved by the
13 Appraiser Qualifications Board, prescribed by rules and regulations of
14 the Real Property Appraiser Board, and administered by a contracted
15 testing service.

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

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

20 (b) Successfully complete and pass proctored, closed-book
21 examinations for no fewer than one hundred additional class hours in
22 board-approved qualifying education courses conducted by education
23 providers as prescribed by rules and regulations of the board, or hold a
24 degree in real estate from an accredited degree-awarding college or
25 university or equivalent pursuant to subdivision (1)(d)(ii) of section
26 76-2232; and

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

29 (4) A certified residential real property appraiser shall satisfy
30 the requirements for the trainee real property appraiser credential and
31 licensed residential real property appraiser credential for a downgraded

1 credential. If requested, evidence acceptable to the Real Property
2 Appraiser Board concerning the experience shall be presented along with
3 an application in the form of written reports or file memoranda.

4 (5) The scope of practice for a certified residential real property
5 appraiser shall be limited to real property appraisal practice concerning
6 residential real property or real estate having no more than four
7 residential units, if any, without regard to transaction value or
8 complexity. The appraisal of subdivisions for which a development
9 analysis or appraisal is necessary is not included in the scope of
10 practice for a certified residential real property appraiser.

11 Sec. 10. Section 76-2232, Revised Statutes Supplement, 2021, is
12 amended to read:

13 76-2232 (1) To qualify for a credential as a certified general real
14 property appraiser, an applicant shall:

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

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

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

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

21 (ii) A foreign degree credential evaluation service company that is
22 a member of the National Association of Credential Evaluation Services;
23 or

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

27 (d)(i) Have successfully completed and passed examination for no
28 fewer than three hundred class hours in Real Property Appraiser Board-
29 approved qualifying education courses conducted by education providers as
30 prescribed by rules and regulations of the Real Property Appraiser Board
31 and completed the fifteen-hour National Uniform Standards of Professional

1 Appraisal Practice Course. Each course shall include a proctored, closed-
2 book examination pertinent to the material presented; or

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

12 (e)(i) ~~(e)~~ Have no fewer than three thousand hours of experience, of
13 which one thousand five hundred hours shall be in nonresidential
14 appraisal work, as prescribed by rules and regulations of the Real
15 Property Appraiser Board. The required experience shall be acceptable to
16 the Real Property Appraiser Board and subject to review and determination
17 as to conformity with the Uniform Standards of Professional Appraisal
18 Practice. The experience shall have occurred during a period of no fewer
19 than eighteen months; or

20 (ii) Successfully complete a PAREA program. If the PAREA program
21 does not satisfy all required experience for credentialing, the remaining
22 experience hours shall be completed pursuant to subdivision (e)(i) of
23 this subsection;

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

1 (g) Within the twelve months following approval of the applicant's
2 education and experience by the Real Property Appraiser Board, 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 (2) A certified general real property appraiser shall satisfy the
8 requirements for the trainee real property appraiser credential, licensed
9 residential real property appraiser credential, and certified residential
10 real property appraiser credential for a downgraded credential. If
11 requested, evidence acceptable to the Real Property Appraiser Board
12 concerning the experience shall be presented along with an application in
13 the form of written reports or file memoranda.

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

18 Sec. 11. Section 76-2233.01, Revised Statutes Cumulative Supplement,
19 2020, is amended to read:

20 76-2233.01 (1) A nonresident currently credentialed to engage in
21 real property appraisal practice concerning real estate and real property
22 under the laws of another jurisdiction may obtain a temporary credential
23 as a licensed residential real property appraiser, a certified
24 residential real property appraiser, or a certified general real property
25 appraiser to engage in real property appraisal practice in this state.

26 (2) To qualify for the issuance of a temporary credential, an
27 applicant shall:

28 (a) Submit an application on a form approved by the board;

29 (b) Submit a letter of engagement or a contract indicating the
30 location of the real property appraisal practice assignment—and
31 completion date;

1 (c) Submit an irrevocable consent that service of process upon him
2 or her may be made by delivery of the process to the director of the
3 board if the plaintiff cannot, in the exercise of due diligence, effect
4 personal service upon the applicant in an action against the applicant in
5 a court of this state arising out of the applicant's activities in this
6 state; and

7 (d) Pay the appropriate application fee in an amount established by
8 the board pursuant to section 76-2241.

9 (3) The credential status of an applicant under this section,
10 including current standing and any disciplinary action imposed against
11 his or her credentials, shall be verified through the National Registry
12 of the Appraisal Subcommittee of the Federal Financial Institutions
13 Examination Council.

14 (4) Application for a temporary credential is valid for one year
15 from the date application is made to the board or upon the expiration of
16 the assignment specified in the letter of engagement, whichever occurs
17 first.

18 (5) A temporary credential issued under this section shall be
19 expressly limited to a grant of authority to engage in real property
20 appraisal practice required for an assignment in this state. Each
21 temporary credential shall expire upon the completion of the assignment
22 or upon the expiration of a period of six months from the date of
23 issuance, whichever occurs first. A temporary credential may be renewed
24 for one additional six-month period.

25 (6) Any person issued a temporary credential to engage in real
26 property appraisal practice in this state shall comply with all of the
27 provisions of the Real Property Appraiser Act relating to the appropriate
28 classification of credentialing. The board may, upon its own motion, and
29 shall, upon the written complaint of any aggrieved person, cause an
30 investigation to be made with respect to an alleged violation of the act
31 by a person who is engaged in, or who has engaged in, real property

1 appraisal practice as a temporary credential holder, and that person
2 shall be deemed a real property appraiser within the meaning of the act.

3 Sec. 12. Section 76-2236, Revised Statutes Cumulative Supplement,
4 2020, is amended to read:

5 76-2236 (1) Every credential holder shall furnish evidence to the
6 board that he or she has satisfactorily completed no fewer than twenty-
7 eight hours of approved continuing education activities in each two-year
8 continuing education period. ~~The continuing education period begins on~~
9 ~~January 1 of the next year for any credential holder who first obtained~~
10 ~~his or her credential at the current level on or after July 1.~~ Hours of
11 satisfactorily completed approved continuing education activities cannot
12 be carried over from one two-year continuing education period to another.
13 Evidence of successful completion of such continuing education activities
14 for the two-year continuing education period, including passing
15 examination if applicable, shall be submitted to the board in the manner
16 prescribed by the board. No continuing education activity shall be less
17 than two hours in duration. A person who holds a temporary credential
18 does not have to meet any continuing education requirements in the Real
19 Property Appraiser Act.

20 (2) As prescribed by rules and regulations of the Real Property
21 Appraiser Board and at least once every two years, the seven-hour
22 National Uniform Standards of Professional Appraisal Practice Update
23 Course as approved by the Appraiser Qualifications Board or the
24 equivalent of the course as approved by the Real Property Appraiser
25 Board, shall be included in the continuing education requirement of each
26 credential holder. An instructor certified by the Appraiser
27 Qualifications Board satisfies this requirement by successfully
28 completing a seven-hour instructor recertification course and examination
29 as approved by the Appraiser Qualifications Board.

30 (3) A continuing education activity conducted in another
31 jurisdiction in which the activity is approved to meet the continuing

1 education requirements for renewal of a credential in such other
2 jurisdiction shall be accepted by the board if that jurisdiction has
3 adopted and enforces standards for such continuing education activity
4 that meet or exceed the standards established by the Real Property
5 Appraiser Act and the rules and regulations of the board.

6 (4) The board may adopt a program of continuing education for
7 individual credentials as long as the program is compliant with the
8 Appraiser Qualifications Board's criteria specific to continuing
9 education.

10 (5) No more than fourteen hours may be approved by the Real Property
11 Appraiser Board as continuing education in each two-year continuing
12 education period for participation, other than as a student, in appraisal
13 educational processes and programs, which includes teaching, program
14 development, authorship of textbooks, or similar activities that are
15 determined by the board to be equivalent to obtaining continuing
16 education. Evidence of participation shall be submitted to the board upon
17 completion of the appraisal educational process or program. No
18 preapproval will be granted for participation in appraisal educational
19 processes or programs.

20 (6) Qualifying education, as approved by the board, successfully
21 completed by a credential holder to fulfill the class-hour requirement to
22 upgrade to a higher classification than his or her current
23 classification, shall be approved by the board as continuing education.

24 (7) Qualifying education, as approved by the board, taken by a
25 credential holder not to fulfill the class-hour requirement to upgrade to
26 a higher classification, shall be approved by the board as continuing
27 education if the credential holder completes the examination.

28 (8) A board-approved supervisory real property appraiser and trainee
29 course successfully completed by a certified real property appraiser
30 shall be approved by the board as continuing education no more than once
31 during each two-year continuing education period.

1 (9) The Real Property Appraiser Board shall approve continuing
2 education activities and instructors which it determines would protect
3 the public by improving the competency of credential holders.

4 Sec. 13. Original sections 76-2201, 76-2203, 76-2207.23, and
5 76-2218, Reissue Revised Statutes of Nebraska, sections 76-2233.01 and
6 76-2236, Revised Statutes Cumulative Supplement, 2020, and sections
7 76-2207.30, 76-2221, 76-2230, 76-2231.01, and 76-2232, Revised Statutes
8 Supplement, 2021, are repealed.

9 Sec. 14. Since an emergency exists, this act takes effect when
10 passed and approved according to law.