

## LEGISLATIVE BILL 29

Approved by the Governor February 10, 1997

Introduced by Beutler, 28

AN ACT relating to the Real Estate Appraiser Act; to amend sections 76-2230, 76-2231.01, 76-2232, and 76-2236, Reissue Revised Statutes of Nebraska; to change provisions relating to qualifications and continuing education requirements; and to repeal the original sections.

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

Section 1. Section 76-2230, Reissue Revised Statutes of Nebraska, is amended to read:

76-2230. To qualify for a license as a real estate appraiser, an applicant shall:

- (1) Be at least nineteen years of age;
- (2) Hold a high school diploma or a certificate of high school equivalency or have education acceptable to the board;
- (3) Have successfully completed not less than ~~seventy-five~~ ninety class hours, which may include the class hours set forth in section 76-2229.01, in board-approved courses of study which relate to appraisal and which include a fifteen-hour course in the Uniform Standards of Professional Appraisal Practice. The courses of study shall be conducted by an accredited university, college, community college, or junior college, an appraisal society, institute, or association, or such other educational provider as may be approved by the board and shall be, at a minimum, fifteen class hours in length and shall include an examination pertinent to the material presented;
- (4) Have no less than two years of experience in any combination of the following: Fee and staff appraisal; ad valorem tax appraisal; review appraisal; appraisal analysis; highest-and-best-use analysis; or feasibility analysis or study. The required experience shall not be limited to the listed items but shall be acceptable to the board and subject to review and determination as to conform with the Uniform Standards of Professional Appraisal Practice. The experience shall include a total of at least two thousand hours and shall have occurred over at least a twenty-four-month period. If requested, evidence acceptable to the board concerning the experience shall be presented by the applicant in the form of written reports or file memoranda;
- (5) Pass an examination administered by the board which demonstrates that the applicant has:
  - (a) Knowledge of the English language, including terms commonly used in or related to appraisal and the writing of appraisal reports;
  - (b) Knowledge of depreciation theories, cost estimating, methods of capitalization, market data analysis, and appraisal mathematics;
  - (c) An understanding of the principles of land economics, appraisal processes, and problems encountered in the gathering, interpreting, and processing of data involved in the valuation of real property;
  - (d) Knowledge of the appraisal of various types of and interests in real property for various functions and purposes;
  - (e) An understanding of basic real estate law; and
  - (f) An understanding of the types of misconduct for which disciplinary proceedings may be initiated; and
- (6)(a) Not have been convicted of any felony or, if so convicted, have had his or her civil rights restored and (b) furnish proof which upon investigation demonstrates that he or she has good character and a reputation for honesty and integrity.

Sec. 2. Section 76-2231.01, Reissue Revised Statutes of Nebraska, is amended to read:

76-2231.01. To qualify for a residential certificate as a certified residential real estate appraiser, an applicant shall:

- (1) Be at least nineteen years of age;
- (2) Hold a high school diploma or a certificate of high school equivalency or have education acceptable to the board;
- (3) Have successfully completed not less than one hundred twenty class hours, which may include the class hours set forth in sections 76-2229.01 and 76-2230, in board-approved courses of study which relate to appraisal and which include a fifteen-hour course in the Uniform Standards of Professional Appraisal Practice. The courses of study shall be conducted by an accredited university, college, community college, or junior college, an

appraisal society, institute, or association, or such other educational provider as may be approved by the board and shall be, at a minimum, fifteen class hours in length and shall include an examination pertinent to the material presented;

(4) Have no less than two years of experience in any combination of the following: Fee and staff appraisal; ad valorem tax appraisal; review appraisal; appraisal analysis; highest-and-best-use analysis; or feasibility analysis or study. The required experience shall not be limited to the listed items but shall be acceptable to the board and subject to review and determination as to conformity with the Uniform Standards of Professional Appraisal Practice. The experience shall include a total of at least two thousand five hundred hours and shall have occurred over no less than a twenty-four-month period. If requested, evidence acceptable to the board concerning the experience shall be presented by the applicant in the form of written reports or file memoranda. Of the two thousand five hundred hours, one thousand five hundred hours shall be in residential appraisal work. For purposes of determining residential appraisal work, residential appraisal work shall be the appraisal of property having one to four residential units;

(5) Pass an examination administered by the board which demonstrates that the applicant has:

(a) Knowledge of technical terms commonly used in or related to appraisal, appraisal report writing, and economic concepts applicable to real estate;

(b) An understanding of the basic principles of land economics, appraisal processes, and problems encountered in gathering, interpreting, and processing of data involved in the valuation of real property;

(c) An understanding of the standards for the development and communication of appraisals as provided in the Real Estate Appraiser Act;

(d) An understanding of the standards of professional appraisal practice and ethical rules that a real estate appraiser is required to observe;

(e) Knowledge of depreciation theories, cost estimating, methods of capitalization, and appraisal mathematics;

(f) Knowledge of such other principles and procedures as may be appropriate for certification;

(g) An understanding of real estate law; and

(h) An understanding of the types of misconduct for which disciplinary proceedings may be initiated; and

(6)(a) Not have been convicted of any felony or, if so convicted, have had his or her civil rights restored and (b) furnish proof which upon investigation demonstrates that he or she has good character and a reputation for honesty and integrity.

Sec. 3. Section 76-2232, Reissue Revised Statutes of Nebraska, is amended to read:

76-2232. To qualify for a general certificate as a certified general real estate appraiser, an applicant shall:

(1) Be at least nineteen years of age;

(2) Hold a high school diploma or a certificate of high school equivalency or have education acceptable to the board;

(3) Have successfully completed not less than one hundred ~~sixty-five~~ eighty class hours, which may include the class hours set forth in sections 76-2229.01, 76-2230, and 76-2231.01, in board-approved courses of study which relate to appraisal and which include a fifteen-hour course in the Uniform Standards of Professional Appraisal Practice. The courses of study shall be conducted by an accredited university, college, community college, or junior college, an appraisal society, institute, or association, or such other educational provider as may be approved by the board and shall be, at a minimum, fifteen class hours in length and shall include an examination pertinent to the material presented;

(4) Have two and one-half years of experience in any combination of the following: Fee and staff appraisal; ad valorem tax appraisal; review appraisal; appraisal analysis; highest-and-best-use analysis; or feasibility analysis or study. The required experience shall not be limited to the listed items but shall be acceptable to the board and conform with the Uniform Standards of Professional Appraisal Practice. The experience shall include a total of at least ~~two~~ three thousand hours and shall have occurred over at least a ~~twenty-four-month~~ thirty-month period. If requested, evidence acceptable to the board concerning the experience shall be presented by the applicant in the form of written reports or file memoranda. Of the ~~two~~ three thousand hours, one thousand five hundred hours shall be in nonresidential appraisal work. For purposes of determining nonresidential appraisal work, residential appraisal work shall be the appraisal of property having one to

four residential units;

(5) Pass an examination administered by the board which demonstrates that the applicant has:

(a) Knowledge of technical terms commonly used in or related to appraisal, appraisal report writing, and economic concepts applicable to real estate;

(b) An understanding of the principles of land economics, appraisal processes, and problems encountered in gathering, interpreting, and processing of data involved in the valuation of real property;

(c) An understanding of the standards for the development and communication of appraisals as provided in the Real Estate Appraiser Act;

(d) An understanding of the standards of professional appraisal practice and ethical rules that a real estate appraiser is required to observe;

(e) Knowledge of depreciation theories, cost estimating, methods of capitalization, and appraisal mathematics;

(f) Knowledge of such other principles and procedures as may be appropriate for general certification;

(g) An understanding of real estate law; and

(h) An understanding of the types of misconduct for which disciplinary proceedings may be initiated; and

(6)(a) Not have been convicted of any felony or, if so convicted, have had his or her civil rights restored and (b) furnish proof which upon investigation demonstrates that he or she has good character and a reputation for honesty and integrity.

Sec. 4. Section 76-2236, Reissue Revised Statutes of Nebraska, is amended to read:

76-2236. Every registered real estate appraiser, licensed real estate appraiser, certified residential real estate appraiser, and certified general real estate appraiser shall furnish evidence to the board that he or she has satisfactorily completed twenty-eight hours of approved continuing education activities in each two-year continuing education period. The board may extend or waive these requirements. Every four years, beginning January 1, 1995, an update seminar of no less than seven hours, covering the Uniform Standards of Professional Appraisal Practice, shall be included in the continuing education requirement of each registered, licensed, certified residential, and certified general real estate appraiser. The board shall approve continuing education activities which it determines would protect the public by improving the competency of registrants, licensees, and certificate holders. Evidence of completion of such continuing education activities for the two-year continuing education period may be submitted to the board as each activity is completed. A person who has been temporarily registered or issued a temporary license or residential or general certificate shall not have to meet any continuing education requirements in this state.

Sec. 5. Original sections 76-2230, 76-2231.01, 76-2232, and 76-2236, Reissue Revised Statutes of Nebraska, are repealed.