

LEGISLATURE OF NEBRASKA  
ONE HUNDRED FIRST LEGISLATURE  
SECOND SESSION  
**LEGISLATIVE BILL 1051**

FINAL READING

Introduced by Christensen, 44.

Read first time January 21, 2010

Committee: Banking, Commerce and Insurance

A BILL

1 FOR AN ACT relating to the Abstracters Act; to amend sections  
2 76-545, 76-547, and 76-550, Reissue Revised Statutes of  
3 Nebraska; to change provisions relating to certificate  
4 terms, fees, and rosters of abstracters; to repeal the  
5 original sections; and to declare an emergency.  
6 Be it enacted by the people of the State of Nebraska,

1           Section 1. Section 76-545, Reissue Revised Statutes of  
2 Nebraska, is amended to read:

3           76-545 Any individual or business entity desiring to  
4 engage in the business of abstracting in this state shall make  
5 application to the board for a certificate of authority. Such  
6 application shall be in a form prepared by the board and shall  
7 contain such information as may be necessary to assist the board in  
8 determining whether the applicant has complied with the Abstracters  
9 Act. Such application shall be accompanied by an application  
10 fee of not less than twenty-five dollars or more than ~~one~~  
11 two hundred dollars. The board shall establish such fee based  
12 on the administrative costs of the board. The applicant shall  
13 furnish proof that such applicant is or has employed a registered  
14 abstracter and shall provide the name and address of a resident  
15 agent for service of process under the act. When this section  
16 has been complied with, the board shall issue a certificate of  
17 authority in such form as it may prescribe, attesting to the same,  
18 and such certificate shall be prominently displayed in the place of  
19 business of the applicant.

20           Sec. 2. Section 76-547, Reissue Revised Statutes of  
21 Nebraska, is amended to read:

22           76-547 (1) All certificates of authority issued pursuant  
23 to section 76-545 shall expire on April 1 of each even-numbered  
24 year irrespective of when issued. Such certificates shall be  
25 renewed, as provided in this section, for a ~~one-year~~ two-year

1 period upon payment of a renewal fee of not less than ~~twenty-five~~  
2 fifty dollars or more than ~~two~~ four hundred dollars. The board  
3 shall establish such fee based on the administrative costs of the  
4 board.

5 (2) All certificates of registration, including duplicate  
6 certificates of registration, issued pursuant to section 76-543  
7 shall expire on April 1 of each even-numbered year irrespective of  
8 when issued. Such certificates shall be renewed, as provided in  
9 this section, for a two-year period upon payment of a renewal fee  
10 of not less than twenty dollars or more than two hundred dollars.  
11 The board shall establish such fee based on the administrative  
12 costs of the board. The board shall not renew the certificate  
13 of registration or duplicate certificate of registration for any  
14 registered abstracter who has failed to complete the professional  
15 development requirements set forth in section 76-544, unless the  
16 registered abstracter has shown good cause why he or she was unable  
17 to comply with such requirements. If the board determines that good  
18 cause was shown for not completing the professional development  
19 requirements, the board shall permit the registered abstracter to  
20 make up all outstanding hours of professional development within  
21 six months of the renewal of such certificates. If the hours are  
22 not completed in six months, such certificates shall be revoked.

23 (3) Thirty to sixty days prior to the expiration date  
24 of the certificates, the board shall cause a notice of expiration  
25 and application for renewal, including a statement for the fee

1 for each certificate, to be mailed to each of the holders of  
2 such certificates. The notice and application shall be in a form  
3 prepared by the board.

4 Sec. 3. Section 76-550, Reissue Revised Statutes of  
5 Nebraska, is amended to read:

6 76-550 The board shall keep a register of the name of  
7 each applicant for certification, with his or her place of business  
8 and such other information as may be deemed appropriate, including  
9 a notation of the action taken by the board thereon, the date upon  
10 which the certificate of registration or certificate of authority  
11 is issued, and the date of renewal of such certificates. The  
12 board shall maintain other records, registers, and files as may  
13 be necessary for the proper administration of its duties pursuant  
14 to the Abstracters Act. A roster showing the names and places  
15 of business of abstracters holding an operative certificate of  
16 registration shall be prepared by the director during the month  
17 of June of ~~every~~ each even-numbered year, sent to all registered  
18 abstracters, and furnished to the public on request at the cost of  
19 producing such roster.

20 Sec. 4. Original sections 76-545, 76-547, and 76-550,  
21 Reissue Revised Statutes of Nebraska, are repealed.

22 Sec. 5. Since an emergency exists, this act takes effect  
23 when passed and approved according to law.