

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

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 provide an
5 operative date; and to repeal the original sections.
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
8 of when issued. Such certificates shall be renewed, as provided
9 in this section, for a two-year period upon payment of a renewal
10 fee of not less than ~~twenty~~ fifty dollars or more than ~~two~~
11 four hundred dollars. The board shall establish such fee based
12 on the administrative costs of the board. The board shall not
13 renew the certificate of registration or duplicate certificate
14 of registration for any registered abstracter who has failed to
15 complete the professional development requirements set forth in
16 section 76-544, unless the registered abstracter has shown good
17 cause why he or she was unable to comply with such requirements. If
18 the board determines that good cause was shown for not completing
19 the professional development requirements, the board shall permit
20 the registered abstracter to make up all outstanding hours of
21 professional development within six months of the renewal of such
22 certificates. If the hours are not completed in six months, such
23 certificates shall be revoked.

24 (3) Thirty to sixty days prior to the expiration date
25 of the certificates, the board shall cause a notice of expiration

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

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

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

21 Sec. 4. This act becomes operative on January 1, 2012.

22 Sec. 5. Original sections 76-545, 76-547, and 76-550,
23 Reissue Revised Statutes of Nebraska, are repealed.