

**ONE HUNDRED FOURTH LEGISLATURE - SECOND SESSION - 2016**  
**COMMITTEE STATEMENT**  
**LB678**

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**Hearing Date:** Monday January 25, 2016  
**Committee On:** Banking, Commerce and Insurance  
**Introducer:** Craighead  
**One Liner:** Change provisions of the Nebraska Real Estate License Act

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**Roll Call Vote - Final Committee Action:**  
Advanced to General File with amendment(s)

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**Vote Results:**

**Aye:** 8 Senators Campbell, Craighead, Fox, Gloor, Lindstrom, Scheer, Schumacher, Williams  
**Nay:**  
**Absent:**  
**Present Not Voting:**

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**Verbal Testimony:**

**Proponents:**

Senator Joni Craighead  
Greg Lemon  
Arla Meyer

**Representing:**

Introducer  
NE Real Estate Commission  
State Association of Realtors

**Opponents:**

**Representing:**

**Neutral:**

**Representing:**

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**Summary of purpose and/or changes:**

This bill would amend sections 81-885, 81-885.01, and 81-885.07 of the Nebraska Real Estate License Act and would enact a new section in the act to provide that a "team leader," under the supervision of his or her designated broker, shall be responsible for supervising the real estate activities of his or her "team."

The bill would define "team" as two or more persons licensed by the State Real Estate Commission who:

- (1) work under the supervision of a designated broker;
- (2) work together on real estate transactions to provide real estate brokerage services;
- (3) represent themselves to the public as being part of a team; and
- (4) are designated by a team name.

The bill would define "team leader" as a person licensed by the State Real Estate Commission and appointed or recognized by his or her designated broker as the leader for his or her team.

The bill would provide that the State Real Estate Commission "shall" rather than "may" adopt and promulgate rules and regulations to carry out the Nebraska Real Estate License Act.

The bill would provide for an operative date of October 1, 2016.

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**Explanation of amendments:**

The committee amendments would make three changes in the bill:

First, the amendments would amend section 3 to explicitly provide that team members are always subject to the overall supervision of the designated broker as well as the supervision of their team leader.

Second, the amendments would insert and amend section 81-885.24 of the Nebraska Real Estate Act to add four new unfair trade practices subject to enforcement by the State Real Estate Commission:

- (1) failing by a team leader to provide a current list of all team members to his or her designated broker;
- (2) failing by a designated broker to maintain a record of all team leaders and team members working under him or her;
- (3) utilizing advertising which does not prominently display the name under which the designated broker does business as filed with the commission; and
- (4) utilizing team advertising or a team name suggesting the team is an independent real estate brokerage.

Third, the amendments would not include section 4 of the bill as introduced (to amend section 81-885.07) and thereby would omit proposed changes to require rather than authorize the commission to adopt rules and regulations.

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Jim Scheer, Chairperson