

LEGISLATURE OF NEBRASKA  
ONE HUNDRED SIXTH LEGISLATURE  
FIRST SESSION

**LEGISLATIVE BILL 454**

FINAL READING

Introduced by Clements, 2; Erdman, 47.

Read first time January 18, 2019

Committee: Banking, Commerce and Insurance

1 A BILL FOR AN ACT relating to the Nebraska Real Estate License Act; to  
2 amend section 81-885.13, Revised Statutes Cumulative Supplement,  
3 2018; to change education requirements for issuance of a broker's or  
4 salesperson's license; and to repeal the original section.

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

1 Section 1. Section 81-885.13, Revised Statutes Cumulative  
2 Supplement, 2018, is amended to read:

3 81-885.13 (1)(a) ~~(1)~~ No broker's or salesperson's license shall be  
4 issued to any person who has not attained the age of nineteen years.

5 (b) No broker's or salesperson's license shall be issued to any  
6 person who is not a graduate of a public or private high school graduate  
7 or the holder of a certificate of high school equivalency. This  
8 subdivision does not apply to: (i) A person who is a graduate of a school  
9 exempt from the State Department of Education requirements under section  
10 79-1601 or an equivalent exempt school or home school program from  
11 another jurisdiction; or (ii) a person who has completed a program of  
12 education acceptable to the commission.

13 (2) Each applicant for a salesperson's license shall furnish  
14 evidence that he or she has completed two courses in real estate  
15 subjects, approved by the commission, composed of not less than sixty  
16 class hours of study or, in lieu thereof, courses delivered in a distance  
17 education format approved by the commission.

18 (3) Each applicant for a broker's license shall either (a) have  
19 first served actively for two years as a licensed salesperson or broker  
20 and shall furnish evidence of completion of sixty class hours in addition  
21 to the hours required by subsection (2) of this section in a course of  
22 study approved by the commission or, in lieu thereof, courses delivered  
23 in a distance education format approved by the commission, or (b) furnish  
24 a certificate that he or she has passed a course of at least eighteen  
25 credit hours in subjects related to real estate at an accredited  
26 university or college, or completed six courses in real estate subjects  
27 composed of not less than one hundred eighty class hours in a course of  
28 study approved by the commission or, in lieu thereof, courses delivered  
29 in a distance education format approved by the commission.

30 (4) Each applicant for a broker's license must pass a written  
31 examination covering generally the matters confronting real estate

1 brokers, and each applicant for a salesperson's license must pass a  
2 written examination covering generally the matters confronting real  
3 estate salespersons. Such examination may be taken before the commission  
4 or any person designated by the commission. Failure to pass the  
5 examination shall be grounds for denial of a license without further  
6 hearing. Within thirty days after passing the examination the applicant  
7 must complete all requirements necessary for the issuance of a license.  
8 The commission may prepare and distribute to licensees under the Nebraska  
9 Real Estate License Act informational material deemed of assistance in  
10 the conduct of their business.

11 (5) An applicant for an original broker's or salesperson's license  
12 shall be subject to fingerprinting and a check of his or her criminal  
13 history record information maintained by the Federal Bureau of  
14 Investigation through the Nebraska State Patrol. After filing application  
15 for a license, each applicant shall furnish directly to the Nebraska  
16 State Patrol, or to a fingerprint processing service that may be selected  
17 by the commission for this purpose, a full set of fingerprints to enable  
18 a criminal background investigation to be conducted. The applicant shall  
19 request that the Nebraska State Patrol submit the fingerprints to the  
20 Federal Bureau of Investigation for a national criminal history record  
21 check. The applicant shall pay the actual cost, if any, of the  
22 fingerprinting and check of his or her criminal history record  
23 information. The applicant shall authorize release of the national  
24 criminal history record check to the commission.

25 (6) Courses of study, referred to in subsections (2) and (3) of this  
26 section, shall include courses offered by private proprietary real estate  
27 schools when such courses are prescribed by the commission and are taught  
28 by instructors approved by the commission. The commission shall monitor  
29 schools offering approved real estate courses and for good cause shall  
30 have authority to suspend or withdraw approval of such courses or  
31 instructors.

1           Sec. 2.   Original section 81-885.13, Revised Statutes Cumulative  
2 Supplement, 2018, is repealed.