

LEGISLATURE OF NEBRASKA
ONE HUNDRED SEVENTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 423

FINAL READING

Introduced by Lathrop, 12.

Read first time January 15, 2021

Committee: Urban Affairs

1 A BILL FOR AN ACT relating to home inspectors; to define terms; to
2 require registration with the Secretary of State; to provide for a
3 fee; to require proof of financial responsibility; to provide a
4 penalty; to provide for rules and regulations; and to provide an
5 operative date.

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

1 Section 1. For purposes of sections 1 to 6 of this act:

2 (1) Home inspection means the process by which a home inspector
3 examines the observable systems and components of improvements to
4 residential real property that are readily accessible to such inspector;

5 (2) Home inspector means a person who, for compensation, conducts a
6 home inspection; and

7 (3) Residential real property means a structure used or intended to
8 be used as a residence and consisting of one to four family dwelling
9 units.

10 Sec. 2. Before conducting home inspections in this state and in
11 each even-numbered year, a home inspector shall register with the
12 Secretary of State. If the home inspector is an individual, the home
13 inspector shall sign such registration. If the home inspector is a firm,
14 partnership, corporation, company, association, limited liability
15 company, or other legal entity, an officer or agent of the home inspector
16 shall sign such registration. Such registration shall include:

17 (1) The name of the home inspector if the home inspector is an
18 individual or the name of the legal entity under which such home
19 inspector proposes to register and transact business in this state;

20 (2) The address of the home office of the home inspector;

21 (3) The name and address of the agent for service of process on the
22 home inspector; and

23 (4) Any national certification relating to home inspection currently
24 held by the home inspector.

25 Sec. 3. At the time of registration pursuant to section 2 of this
26 act, a home inspector shall:

27 (1) Pay a registration fee to the Secretary of State. The Secretary
28 of State shall set such registration fee in an amount sufficient to
29 defray the administrative costs of registration but not to exceed three
30 hundred dollars. The Secretary of State shall remit such registration fee
31 to the State Treasurer for credit to the Secretary of State Cash Fund;

1 and

2 (2) Provide to the Secretary of State a certificate of insurance
3 evidencing coverage in an amount of not less than two hundred fifty
4 thousand dollars for general liability.

5 Sec. 4. A home inspector shall report a change in information
6 required by section 2 or 3 of this act within thirty business days of
7 such change.

8 Sec. 5. Any violation of sections 2 to 4 of this act shall be a
9 Class IV misdemeanor.

10 Sec. 6. The Secretary of State may adopt and promulgate rules and
11 regulations to carry out sections 1 to 6 of this act.

12 Sec. 7. This act becomes operative on January 1, 2023.