

LEGISLATURE OF NEBRASKA  
ONE HUNDRED SEVENTH LEGISLATURE  
FIRST SESSION

**LEGISLATIVE BILL 423**

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 provide for proof of financial responsibility; to provide a
- 4 penalty; and to provide an operative date.
- 5 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; and

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

23          Sec. 3. At the time of registering under section 2 of this act, a  
24 home inspector shall pay a registration fee set by the Secretary of State  
25 in an amount sufficient to defray the administrative costs of  
26 registration but not to exceed XX dollars, and shall provide a  
27 certificate of insurance for general liability insurance not less than  
28 two hundred fifty thousand dollars for general liability.

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

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

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

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