

ONE HUNDRED SECOND LEGISLATURE - FIRST SESSION - 2011
COMMITTEE STATEMENT
LB75

Hearing Date: Monday January 24, 2011
Committee On: Banking, Commerce and Insurance
Introducer: Pahls
One Liner: Change provisions relating to loan brokers, mortgage loan originators, and residential mortgage licensing

Roll Call Vote - Final Committee Action:
Advanced to General File

Vote Results:

Aye: 8 Senators Christensen, Gloor, Langemeier, McCoy, Pahls, Pankonin, Pirsch, Utter

Nay:

Absent:

Present Not Voting:

Proponents:

Senator Rich Pahls
John Munn
Robert Hallstrom

Representing:

Introducer
NE Dept of Banking and Finance
NE Bankers Assn

Opponents:

Representing:

Neutral:

Representing:

Summary of purpose and/or changes:

LB75 (Pahls), introduced at the request of the Director of Banking and Finance, would amend sections regarding mortgage loan originators and loan brokers. The bill would provide, section by section, as follows:

Section 1 would amend section 8-702 of the state-federal cooperation acts to extend the deadline for registration of mortgage loan originators employed by banking institutions from "sixty" days after the Nationwide Mortgage Licensing System and Registry is capable of accepting such registrations to "one hundred eighty" days after the Nationwide Mortgage Licensing System and Registry is capable of accepting such registrations.

Section 2 would amend section 45-189 of the loan broker statutes to change the term "advanced fee" to "advanced fee." "Advanced fee" is a defined term in section 45-190.)

Section 3 would amend section 45-190 of the loan broker statutes to amend the term "loan broker" to provide that a loan broker is defined as a person who, for or in expectation of "consideration" rather than "an advance fee" from a borrower, procures or attempts to procure a loan for the borrower or assists the borrower in making an application for a loan.

Section 4 would amend section 45-742 of the Residential Mortgage Licensing Act to clarify that the Department of Banking and Finance may issue a notice of expiration of a mortgage loan originator license if the licensee does not submit a request to renew the license, in lieu of commencing license revocation procedures.

Sections 5 would provide for repealers of amendatory sections.

Section 6 would provide for the emergency clause.

Rich Pahls, Chairperson