

## LEGISLATIVE BILL 423

Approved by the Governor May 5, 2021

Introduced by Lathrop, 12.

A BILL FOR AN ACT relating to home inspectors; to define terms; to require registration with the Secretary of State; to provide for a fee; to require proof of financial responsibility; to provide a penalty; to provide for rules and regulations; and to provide an operative date.  
Be it enacted by the people of the State of Nebraska,

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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