

**Legal Notice**  
**Notice of Rule Making Hearing**  
**Secretary of State**

Notice is hereby given that the Secretary of State will hold a rulemaking hearing on September 13, 2022, at 9:00 A.M. at Center on N, 1221 N St, 2<sup>nd</sup> Floor Conference Room, Lincoln, Nebraska, to receive public testimony on proposed regulations relating to Home Inspector registrations. The purpose is to adopt new regulations regarding home inspector registrations.

Copies of the proposed rules and regulations, and the description, including an estimated quantification of the fiscal impact on state agencies, political subdivisions, and persons being regulated, are available at the Office of the Secretary of State, 1201 N. Street, Suite 120, Lincoln, Nebraska, 68508.

All interested persons are invited to attend and testify at the hearing. Interested persons may also submit written comments prior to the hearing, which shall be made a part of the hearing record at the time of the hearing. Written comments should be directed to David L. Wilson Jr, Associate General Counsel, Secretary of State's Office, 1201 N. Street, Suite 120, Lincoln, Nebraska, 68508, FAX (402) 471-2530, email [david.wilson@nebraska.gov](mailto:david.wilson@nebraska.gov). Comments may also be posted online through the Secretary of State's website. To view a copy of the proposed rule or to comment online, go to:  
<https://www.nebraska.gov/nesos/rules-and-regs/regtrack/index.cgi>.

If auxiliary aids or reasonable accommodations are needed for attendance at the hearing, please call the Secretary of State's Office at (402) 471-4071. For persons with hearing/speech impairments, please call the Nebraska Relay System at (800) 833-7352 (TDD) or (800) 833-0320 (Voice). Advance notice of at least seven (7) days is needed when requesting an interpreter.

This notice is provided pursuant to the Administrative Procedure Act.

**STATE OF NEBRASKA ♦ SECRETARY OF STATE'S OFFICE**  
1201 N STREET, SUITE 120 • LINCOLN, NE • 68508  
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**LICENSING DIVISION**

- Athlete Agent • Collection Agency • Debt Management •Private Detectives •
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**ROBERT B. EVNEN**  
Secretary of State

**DAVID L. WILSON JR.**  
Licensing Director

July 28, 2022

**EXPLANATORY STATEMENT**

TITLE: 433  
CHAPTER: 9  
SUBJECT: Home Inspector Registrations  
ACTION: Adopt New Regulations Pursuant to Neb. Rev. Stat. § 76-3606  
PREPARED BY: David L. Wilson Jr., Licensing Director  
DATE: July 28, 2022

The Legislature enacted Neb. Rev. Stat. §§ 76-3601 to 76-3606 in 2021, requiring home inspectors to register with the Secretary of State. This is a new requirement. Pursuant to Neb. Rev. Stat. § 76-3606, the Secretary of State is adopting regulations to carry out his duties.

I. Summary:

The following statutes provide that the Secretary may adopt and promulgate rules and regulations relating to the administration of, but not inconsistent with, the provisions of the following statutes: Neb. Rev. Stat. §§ 76-3601 to 76-3606.

II. Overview of Purposes and Regulations Adopted:

Chapter 9 – Home Inspectors

Section 001: States the forms required for registration and sets the fees for registration and renewal.

Section 002: Sets the expiration date and renewal period for registrations.

Section 003: States that registrations are nontransferable and requires a new registration if a home inspector sells, buys, transfers, converts, or otherwise changes the structure of their business while registered.

FISCAL IMPACT STATEMENT

AGENCY: Secretary of State  
PREPARED BY: David L. Wilson Jr.  
TELEPHONE: 402-471-4071  
DATE: July 28, 2022  
TITLE: 433  
CHAPTER: 9  
SUBJECT: Home Inspector Registration

TYPE OF FISCAL IMPACT

	STATE AGENCY	POLITICAL SUBDIVISION	REGULATED PUBLIC
<i>No Fiscal Impact</i>	X	X	X
<i>Increased Costs</i>			
<i>Decreased Costs</i>			
<i>Increased Revenue</i>			
<i>Decreased Revenue</i>			

DESCRIPTION OF IMPACT

STATE AGENCY: No fiscal impact.  
The fiscal impact was considered during the adoption of LB 423 (2021). These rules and regulations do not add any additional cost or revenue than that anticipated in the Fiscal Note for the bill.

POLITICAL SUBDIVISION: No fiscal impact. See above.

REGULATED PUBLIC: No fiscal impact. See above.

## CHAPTER 9. HOME INSPECTORS.

001. The forms for a home inspector's Initial Registration or Registration Renewal will be available from the Secretary of State's Office. The registration fees for the applications are:

- Initial Registration: \$300
  - Registration Renewal: \$150
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### 002. Expiration and Renewal of Registration.

002.01 Registrations for home inspectors will expire on March 31<sup>st</sup> of every even-numbered year.

002.02 Registered home inspectors may renew their registration by filing a Registration Renewal application beginning thirty (30) days prior to the expiration of their current registration.

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### 003. Registrations Are Nontransferable.

003.01 A home inspector's registration will be cancelled upon any of the following:

003.01(a) The legal entity that the home inspector transacts business under in this state is sold, purchased, transferred, converted, or otherwise put under new ownership or management.

003.01(b) The home inspector converts from an individual to a business entity, converts from an entity to an individual, or converts to a different business entity type.

003.02 A new Initial Registration application may be filed thirty days prior to the cancellation of the home inspector's registration pursuant to section 003.01.