

LEGISLATIVE BILL 142

Approved by the Governor February 2, 1973

Introduced by Hasebroock, 18

AN ACT to amend section 8-821, Reissue Revised Statutes of Nebraska, 1943, relating to banking; to provide that personal loan charges may include the cost of nonfiling insurance; to repeal the original section; and to declare an emergency. Be it enacted by the people of the State of Nebraska,

Section 1. That section 8-821, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

8-821. In addition to the charges permitted by section 8-820, no further amount or exaction shall be directly or indirectly contracted for or received, except:

(1) Lawful fees actually and necessarily paid to a public officer for filing, recording, or releasing an instrument securing the loan;

(2) Taxable costs to which the bank is adjudged to be entitled in judicial proceedings instituted to collect the loan; and

(3) Premiums paid to the insurer on policies covering tangible personal property securing the loan. Such insurance shall be only in such amount and nature as is customary and reasonable, having regard to all the circumstances of the loan, and the premium shall not exceed standard rates. If insurance is procured by or through the bank, an executed copy of the insurance policy or certificate of insurance shall be delivered to the borrower within fifteen days; and -

(4) The actual costs of nonfiling insurance.

Sec. 2. That original section 8-821, Reissue Revised Statutes of Nebraska, 1943, is repealed.

Sec. 3. Since an emergency exists, this act shall be in full force and take effect, from and after its passage and approval, according to law.