

ONE HUNDRED FOURTH LEGISLATURE - FIRST SESSION - 2015
COMMITTEE STATEMENT
LB221

Hearing Date: Friday February 06, 2015
Committee On: Judiciary
Introducer: Harr
One Liner: Provide for disposition of a tenant's personal property upon death

Roll Call Vote - Final Committee Action:
Advanced to General File with amendment(s)

Vote Results:
Aye: 7 Senators Coash, Ebke, Krist, Morfeld, Pansing Brooks, Seiler, Williams
Nay:
Absent:
Present Not Voting: 1 Senator Chambers

Verbal Testimony:

Proponents:
SEN, BURKE HARR
GENE ECKEL

JOHN CCHATELAIN

Representing:
INTRODUCER
NEBRASKA ASSOCIATION OF COMMERCIAL
PROPERTY OWNERS APARTMENT ASSOCIATION
OF GREATER OMAHA AND LINCOLN
MOPOA/SPOA

Opponents:

Representing:

Neutral:

Representing:

Summary of purpose and/or changes:

LB221 would provide a procedure for the disposition of a tenant's personal property upon the death of a tenant.

The existing law under the Disposition of Personal Property Landlord and Tenant Act provides a procedure for the disposition of property, but requires notice to be delivered to the tenant personally or by first class mail.

LB221 would permit landlords to request a tenant to provide and routinely update the name of an authorized person to retrieve and store a tenant's personal property upon the tenant's death. LB221 would require the landlord to contact the authorized person within ten days. The authorized person would then have ten days to notify the landlord that the authorized person will remove the property and an additional twenty days after that notice to actually remove the property.

If the authorized person does not respond or does not fully remove the property within the provided time limits, the landlord is permitted to remove the property under the procedure under the Disposition of Personal Property Landlord and Tenant Act. If a landlord follows the described procedure, the landlord is protected from any liability to the tenant's estate or heirs.

Explanation of amendments:

AM467 would make it voluntary for the tenant to provide the name of an authorized person.

AM467 would also extend the time period for the authorized person to respond from ten days to twenty days.

Les Seiler, Chairperson