

ONE HUNDRED FOURTH LEGISLATURE - FIRST SESSION - 2015
COMMITTEE STATEMENT
LB253

Hearing Date: Friday February 06, 2015
Committee On: Judiciary
Introducer: Morfeld
One Liner: Change acknowledgment requirements relating to homesteads

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

Vote Results:

Aye: 8 Senators Chambers, Coash, Ebke, Krist, Morfeld, Pansing Brooks, Seiler, Williams

Nay:

Absent:

Present Not Voting:

Verbal Testimony:

Proponents:

SEN. ADAM MORFELD
GREG LEMON
SUSAN NAPOLITANO
LISA RITTER
CONNIE HANSEN GOLTER
ROBERT POPPE
JAYNE DEBUS
JESSICA SAWYER

Representing:

INTRODUCER
NEBRASKA REAL ESTATE COMMISSION
NEBRASKA REALTOR'S ASSOCIATION
NEBRASKA REALTOR'S ASSOCIATION

Opponents:

WILLIAM LINDSAY

Representing:

NE STATE BAR ASSOCIATION

Neutral:

Representing:

Summary of purpose and/or changes:

Section 40-104 currently provides that the homestead of a married person cannot be conveyed or encumbered unless the instrument is executed and acknowledged by both husband and wife.

LB 253 would amend 40-104 to provide that a purchase agreement or contract for sale of homestead property signed by both spouses does not require acknowledgement to be enforceable.

Explanation of amendments:

AM278 would harmonize terms in 40-104 and consistently refer to "both spouses" rather than the references to "both spouses" and "both husband and wife" currently contained in 40-104.
