



**Ninety-Seventh Legislature - Second Session - 2002**  
**Committee Statement**  
**LB 1071**

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**Hearing Date:** February 5, 2002  
**Committee On:** Banking, Commerce and Insurance

**Introducer(s):** (Beutler)  
**Title:** Change provisions relating to abstracters

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**Roll Call Vote – Final Committee Action:**

- Advanced to General File
  - X Advanced to General File with Amendments
  - Indefinitely Postponed
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**Vote Results:**

7	Yes	Senators Tyson, Aguilar, Bruning, Jensen, Kremer, Quandahl, Smith
	No	
	Present, not voting	
1	Absent	Senator Landis

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**Proponents:**  
 Senator Chris Beutler  
 Gary Byrne  
 John Daum

**Representing:**  
 Introducer  
 Abstractors Board of Examiners  
 NE Land Title Association

**Opponents:**

**Representing:**

**Neutral:**

**Representing:**

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**Summary of purpose and/or changes:**

LB 1071 (Beutler) would amend various sections of the Abstracters Act.

The bill would provide, section-by-section as follows:

Section 1 would amend section 76-537 to change “specific piece of land” to “real property” in the definitions of “abstract of title” and “report of title.” This section would add two new definitions: “duplicate certificate of registration” would mean a second or subsequent certificate of registration issued in this state for an abstracter who holds an operative certificate of registration and is employed by more than one holder of a certificate of authority; and “inactive abstracter” would mean an abstracter whose certificate of registration is not affiliated

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with an individual or business entity engaged in the business of abstracting and holding a certificate of authority.

Section 2 would amend section 76-538 to provide that any “individual” (rather than “person, firm, partnership, limited liability company, association, or corporation”) engaged in the business of abstracting “in Nebraska” shall “comply with” (rather than “be required to be licensed as required by”) the Abstracter’s Act.

Section 3 would amend section 76-539 to provide that an inactive abstracter shall not, for a fee or other valuable consideration, compile or certify abstracts of title, prepare reports of title, or engage in the business of abstracting.

Section 4 would amend section 76-542 to provide that any “individual” (rather than “person”) who is an applicant for registration as a registered abstracter “shall be a resident of Nebraska”.

Section 5 would amend section 76-543 to provide that if an abstracter has more than one place of employment, the abstracter shall obtain a duplicate certificate of registration for each additional place of employment, and that a certificate shall be prominently displayed at “each” place of employment of such abstracter.

Section 6 would amend section 76-545 to provide that any individual or business entity making application to the Abstracter’s Board of Examiners for a certificate of authority shall furnish proof that the applicant “is a resident of Nebraska or organized under Nebraska law”.

Section 7 would amend section 76-547 to provide that the annual renewal fee for a certificate of authority shall be not more than \$200 (rather than not more than \$100) and that the annual renewal fee for a certificate of registration or duplicate certificate or registration shall be not more than \$100 (rather than not more than \$30).

Section 8 would provide repealers.

**Explanation of amendments, if any:**

The committee amendments would strike requirements that an individual applying for a certificate of registration “shall be a resident of Nebraska,” and that an individual or a business entity applying for a certificate of authority shall be “a resident of Nebraska or organized under Nebraska law”. The committee amendments also would require that an individual or a business entity applying for a certificate of authority shall provide to the Abstracters Board of Examiners “the name and address of a resident agent for service of process under the” Abstracters Act.

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**Senator David M. Landis, Chairperson**