

AMENDMENTS TO LB 341

(Amendments to E & R amendments, ER54)

Introduced by Wightman

1 1. Insert the following new section:

2 Sec. 19. Section 77-1917, Reissue Revised Statutes of  
3 Nebraska, is amended to read:

4 77-1917 (1) Any person entitled to redeem real property  
5 may do so at any time prior to the institution of foreclosure  
6 proceedings by paying the county treasurer for the use of such  
7 holder of a tax sale certificate or his or her heirs or assigns  
8 (a) the sum mentioned in his or her certificate, with interest  
9 thereon at the rate specified in section 45-104.01, as such rate  
10 may from time to time be adjusted by the Legislature, from the date  
11 of purchase to the date of redemption, ~~together with~~ (b) all other  
12 taxes subsequently paid, whether for any year or years previous or  
13 subsequent to the sale, and interest thereon at the same rate from  
14 the date of such payment to the date of redemption, and (c) the  
15 issuance fee charged pursuant to section 77-1823.

16 (2) Any person entitled to redeem real property may do so  
17 at any time after the decree of foreclosure and before the final  
18 confirmation of the sale by paying to the clerk of the district  
19 court the amount found due against the property, with interest and  
20 costs to the date of redemption and, in addition thereto, when the  
21 real property has been sold at sheriff's sale to a purchaser other  
22 than the plaintiff, any subsequent taxes paid by such purchaser,

1 as shown by tax receipts filed by such purchaser with the clerk of  
2 the district court, with interest at the rate specified in section  
3 45-104.01, as such rate may from time to time be adjusted by the  
4 Legislature, from the date or dates of payment of such taxes, and  
5 also interest on the purchase price at the same rate, for the use  
6 of the purchaser, from the date of sale to the date of redemption.  
7 During the pendency of a foreclosure action, any person entitled  
8 to redeem any lot or parcel may do so by paying to the court  
9 the amount due with interest and costs, including attorney's fees,  
10 provided for in section 77-1909, if requested in the foreclosure  
11 complaint. The amount due for redemption under this subsection  
12 shall include the issuance fee charged pursuant to section 77-1823.  
13 Within thirty days after receipt of payment of all amounts due,  
14 the holder of the tax sale certificate shall dismiss its claim  
15 in the foreclosure proceeding with respect to any redeemed tax  
16 sale certificate. The holder of the tax sale certificate shall  
17 be required to provide the county treasurer with written notice  
18 that a foreclosure suit has been instituted and provide the county  
19 treasurer with an affidavit setting forth the costs incurred in  
20 the foreclosure action and indicating whether attorney's fees were  
21 requested in the foreclosure complaint.

22 (3) The person redeeming any lot or parcel shall be  
23 required to provide the county treasurer with an appropriate  
24 receipt evidencing the payment to the court of the amount due with  
25 interest and costs and the holder of the tax sale certificate shall  
26 file with the county treasurer notice of its dismissal of the claim  
27 in the foreclosure proceeding.

1                   2. On page 5, lines 19 and 20; and page 6, line 5, strike  
2 the new matter.

3                   3. On page 6, line 25, after "assigns" insert "(1)".

4                   4. On page 7, line 1, strike "together with", show as  
5 stricken, and insert "(2)"; in line 4 after "redemption" insert  
6 ", and (3) the issuance fee charged pursuant to section 77-1823";  
7 and in lines 4 through 6 strike the new matter and insert "The  
8 issuance fee charged pursuant to section 77-1823 is refundable only  
9 upon redemption or pursuant to a decree of foreclosure pursuant to  
10 section 77-1909.".

11                   5. On page 8, line 10, strike "redemption money", show  
12 as stricken, and insert "money received for redemption pursuant to  
13 section 77-1824".

14                   6. On page 17, line 17, after the last comma insert  
15 "77-1917,".

16                   7. Renumber the remaining sections accordingly.