

One Hundred Fifth Legislature - Second Session - 2018

Introducer's Statement of Intent

LB1029

Chairperson: Senator Laura Ebke

Committee: Judiciary

Date of Hearing: February 15, 2018

The following constitutes the reasons for this bill and the purposes which are sought to be accomplished thereby:

LB1029 amends the Nebraska Uniform Power of Attorney Act to provide that a person who arbitrarily refuses to accept an acknowledged power of attorney is liable to the principal in the same manner had the principal not needed a power of attorney. In any court action brought to force the acceptance of the power of attorney or pursue damages as a result of the person's refusal to accept the authority of the attorney in fact, the bill provides that the person refusing the power of attorney can be held liable for economic damages and prejudgment interest (in addition to the attorney's fees and costs currently provided in statute).

The bill also decreases the timeframes for accepting a power of attorney or requesting a certification, translation, or opinion of counsel.

Principal Introducer: _____

Senator Matt Hansen