

is raised. LB 52.

CLERK: Mr. President, LB 52 was a bill originally introduced by Senator Kristensen. (Read title.) The bill was introduced on January 5 of this year; at that time referred to the Judiciary Committee, advanced to General File. I have no amendments to the bill.

SPEAKER WITHEM: Senator Kristensen.

SENATOR KRISTENSEN: Thank you, Mr. Speaker and members of the Legislature. LB 52 deals in the area of landlord and tenants law. This is a fairly narrow area of law, obviously it deals with the residential setting. This is not commercial law. This is not anything else other than your landlord-tenant law. Nebraska has the uniform landlord-tenant law, which is basically a model law that's from across the country. We have had this law for sometime, and one of the provisions is that when you go to recover possession of an apartment, and let's just use the apartment setting, is that is called an action for possession. In other words, they didn't pay their rent or that they have abandoned it and you are trying to get back in and regain possession of the premises, that that is an action that needs to be resolved fairly quickly. And the policy is that, look, if there is a reason that as a tenant you should stay there, you want that to be litigated rather quickly so you can continue to stay, that they can't drag you out. Conversely, if you are a landlord and you are trying to gain possession from somebody who hasn't paid or for some other reason that you need possession, that that will take a long period of time if it is allowed to drag out, and it is very difficult to regain that possession. The issue becomes what sort of time frame, if any, should we have to have the trial to do that. The uniform law and Nebraska law has always had that that trial shall be held not less than ten days nor more than fourteen days from when the time that the lawsuit or the summons was issued. Very short period of time, not less than ten, not more than fourteen, the purpose is to speed up the process for both the landlord and the tenant. The problem becomes then that the existing law does not say, it just says that it shall be heard as in other cases. It doesn't say whether that requires a jury trial. Almost unanimously around the State of Nebraska those cases are tried through the court, done quickly to comply with that period of time. In most cases, jury trials aren't even an issue. It's fairly well understood, or at least we thought it was fairly understood that you aren't