

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE
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January 28, 1999 LB 23, 24

essence survive the bankruptcy and you'll be able to keep this with you. Why? Because you want people to take care of themselves on the other side of bankruptcy. Among the things that survive is an IRA account. However, last year the Congress, or maybe it was two years ago now, passed the Roth IRA. It's a new kind of IRA and it's identified in a different part of the Internal Revenue Code. So, while our statute recognizes all the other kinds of IRAs, by making reference to the Internal Revenue Code, this new kind of IRA is not recognized in our bankruptcy exemptions, until LB 23. This says, in essence, that a Roth IRA survives bankruptcy just like other IRAs, just like other pension plans. It would be inequitable that one of your IRAs would survive bankruptcy and another one not because you had...you had simply chosen a different kind of pension device or instrument. LB 23 came out unanimously. I introduced a letter from the law firm of Lindsay and Lindsay in Omaha, who brought this to my attention. It was signed William J. Lindsay, Jr. I would ask for the advancement of LB 23, which allows Roth IRAs to survive bankruptcy just like all the rest of the IRAs that are referenced by the Internal Revenue Code and Nebraska law. Thank you.

SENATOR CROSBY: Thank you. You've heard the opening. Any...any discussion on LB 23? Seeing none, Senator Landis waives closing. The question is the advancement of LB 23 to E & R. All in favor vote aye, opposed no. Record, please.

ASSISTANT CLERK: 25 ayes, 0 nays on the motion to advance the bill, Madam President.

SENATOR CROSBY: LB 23 advances. (LB) 24.

ASSISTANT CLERK: LB 24 was introduced by Senator Landis. (Read title.) Bill was read for the first time on January 7th of this year, referred to the Judiciary Committee. That committee reports the bill to General File with no committee amendments.

SENATOR CROSBY: Senator Landis, to open.

SENATOR LANDIS: Thank you, Madam President, members of the Legislature. This came to me from a real-life case in which a friend of mine, Paul Conley, a lawyer in town, had a unique