

LEGISLATURE OF NEBRASKA  
ONE HUNDRED THIRD LEGISLATURE  
SECOND SESSION

**LEGISLATIVE BILL 668**

Introduced by Hadley, 37; Gloor, 35.

Read first time January 08, 2014

Committee: Banking, Commerce and Insurance

A BILL

1 FOR AN ACT relating to liens on personal property; to amend sections  
2 52-603 and 54-604, Reissue Revised Statutes of Nebraska;  
3 to provide for the extinguishment of a lien or security  
4 interest as prescribed; to change provisions relating to  
5 lien proceeds and distribution; and to repeal the  
6 original sections.

7 Be it enacted by the people of the State of Nebraska,

1           Section 1. Section 52-603, Reissue Revised Statutes of  
2 Nebraska, is amended to read:

3           52-603 In accordance with the terms of the notice given  
4 as provided by section 52-601.01, a sale of the goods for reasonable  
5 value may be had to satisfy any valid claim of the claimant for which  
6 ~~he~~ the claimant has a lien on the goods. Such sale shall extinguish  
7 any lien or security interest in the goods of a lienholder or  
8 security interest holder to which notice of sale was mailed pursuant  
9 to section 52-601.01.

10           Sec. 2. Section 52-604, Reissue Revised Statutes of  
11 Nebraska, is amended to read:

12           52-604 From the proceeds of such sale the claimant shall  
13 make application in the following order: (a) To satisfy his or her  
14 lien, including the reasonable charges of notice, advertisement, and  
15 sale; and (b) to satisfy the obligations secured by the lien or  
16 security interest of any lien or security interest holder of record.  
17 The balance, if any, of such proceeds shall be delivered to the  
18 county treasurer of the county in which the sale was made. The  
19 treasurer of the county in which the property was sold shall issue  
20 his or her receipt ~~therefor.~~ for the balance of such proceeds. The  
21 county treasurer shall make proper entry in the books of his or her  
22 office of all ~~money so~~ such proceeds paid over to him or her, and  
23 shall hold the money for a period of five years, and immediately  
24 thereafter ~~shall~~ pay the same into the school fund of the proper  
25 county, to be appropriated for the support of the schools, unless the

1 owner of the property sold, his or her legal representatives, or any  
2 lien or security interest holder of record, whose lien or security  
3 interest has not previously been satisfied shall, within such period  
4 of five years after such ~~money shall~~ proceeds have been deposited  
5 with the treasurer, furnish satisfactory evidence of the ownership of  
6 such property or satisfactory evidence of the lien or security  
7 interest, in which event he, she, or they shall be entitled to  
8 receive from ~~such~~ the county treasurer the amount so deposited with  
9 him or her.

10           Sec. 3. Original sections 52-603 and 52-604, Reissue  
11 Revised Statutes of Nebraska, are repealed.