

ONE HUNDRED FOURTH LEGISLATURE - FIRST SESSION - 2015
COMMITTEE STATEMENT
LB230

Hearing Date: Thursday February 19, 2015
Committee On: Revenue
Introducer: Mello
One Liner: Change provisions relating to partition actions

Roll Call Vote - Final Committee Action:
Advanced to General File with amendment(s)

Vote Results:
Aye: 6 Senators Brasch, Davis, Harr, Scheer, Smith, Sullivan
Nay: 2 Senators Gloor, Schumacher
Absent:
Present Not Voting:

Verbal Testimony:

Proponents:
Senator Heath Mello
Jared Hollinger

Representing:
Introducer
Guardian Tax Partners, Inc.

Opponents:

Representing:

Neutral:
Larry Dix

Representing:
Nebraska Association of County Officials

Summary of purpose and/or changes:

In 2013, the Legislature passed LB 341, which made changes to Nebraska's foreclosure and tax sale certificate process. Among the changes made with LB 341 was elimination of the ability to bid down on the percentage of ownership that could be acquired in a tax sale.

LB 230 clarifies the definition of joint ownership for the purposes of compelling a partition and provides that the purchaser of the tax sale certificate will recuperate at least some of their investment in the event of a partition action.

LB 230 only applies to tax sales that occurred prior to January 1, 2015, when the bid down process was in use.

Explanation of amendments:

The amendment clarifies that the holder of a treasurer's tax deed or tax sale certificate may only recover the amount paid for the certificate including accrued interest and costs incurred by the holder in an action for partition.

Mike Gloor, Chairperson