

LEGISLATURE OF NEBRASKA
ONE HUNDRED FIFTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 359

Introduced by Kolterman, 24.

Read first time January 13, 2017

Committee: Judiciary

- 1 A BILL FOR AN ACT relating to adverse possession; to authorize damages
- 2 for property taxes and special assessments paid on property lost
- 3 through adverse possession.
- 4 Be it enacted by the people of the State of Nebraska,

1 Section 1. (1) If a person loses title to real property due to a
2 successful claim of adverse possession by another person, the person
3 losing title shall be entitled to damages to compensate him or her for
4 all property taxes and special assessments he or she paid on the real
5 property during the period of adverse possession as determined by the
6 court.

7 (2) If the real property lost has not been taxed as a separate
8 parcel, the court shall equitably apportion the property taxes and
9 special assessments paid to the portion lost by adverse possession,
10 taking into account the nature and character of the property lost.

11 (3) This section shall not apply to any cause of action arising
12 prior to January 1, 2018.