

## LEGISLATIVE BILL 909

Approved by the Governor March 19, 1996

Introduced by Lindsay, 9; Brashear, 4

AN ACT relating to estates; to amend section 30-24,125, Reissue Revised Statutes of Nebraska; to change provisions regarding collection of personal property by affidavit; and to repeal the original section. Be it enacted by the people of the State of Nebraska,

Section 1. Section 30-24,125, Reissue Revised Statutes of Nebraska, is amended to read:

30-24,125. (a) Thirty days after the death of a decedent, any person indebted to the decedent or having possession of tangible personal property or an instrument evidencing a debt, obligation, stock or chose in action belonging to the decedent shall make payment of the indebtedness or deliver the tangible personal property or an instrument evidencing a debt, obligation, stock or chose in action to a person claiming to be the successor of the decedent upon being presented an affidavit made by or on behalf of the successor stating that:

(1) the value of the entire estate, wherever located, less liens and encumbrances, does not exceed ~~ten~~ twenty-five thousand dollars;

(2) thirty days have elapsed since the death of the decedent;

(3) no application or petition for the appointment of a personal representative is pending or has been granted in any jurisdiction; and

(4) the claiming successor is entitled to payment or delivery of the property.

(b) A transfer agent of any security shall change the registered ownership on the books of a corporation from the decedent to the successor or successors upon the presentation of an affidavit as provided in subsection (a).

(c) In addition to compliance with the requirements of subsection (a), a person seeking a transfer of a certificate of title to a motor vehicle shall be required to furnish to the Department of Motor Vehicles a statement of the value of any motor vehicle intended to be transferred under this section made by the county assessor of the county of the residence of the decedent. The affidavit and statement showing applicability of this section and compliance with the requirements of this section shall be sufficient proof under section 60-111, to authorize the department to issue a new certificate of title.

Sec. 2. Original section 30-24,125, Reissue Revised Statutes of Nebraska, is repealed.