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LB 49

Revision: 00

FISCAL NOTE

LEGISLATIVE FISCAL ANALYST ESTIMATE

ESTIMATE OF FISCAL IMPACT – STATE AGENCIES *				
	FY 2011-12		FY 2012-13	
	EXPENDITURES	REVENUE	EXPENDITURES	REVENUE
GENERAL FUNDS				
CASH FUNDS				
FEDERAL FUNDS				
OTHER FUNDS				
TOTAL FUNDS				

*Does not include any impact on political subdivisions. See narrative for political subdivision estimates.

For purposes of the bill, LB49 defines a nonconsensual lien as any lien or encumbrance of which the real property owner is not aware. The bill would require that when a nonconsensual lien is submitted for recording, the party submitting the lien for recording is also to provide an envelope with the name and address of the owner of the real property on the envelope along with proper postage affixed. Upon proper submittal and upon the nonconsensual lien meeting all statutory recording requirements, the county recording office is to record the nonconsensual lien and, using the accompanying envelope, forward a copy of the recorded lien to the owner as addressed on the envelope provided by the lien filer. If no envelope is provided by the lien filer or if an envelope is provided but lacks either the address of the property owner or proper postage affixed, the county recording office is to reject the lien. Impacts relating to preparation and processing of lien filing notices by county recording offices would apparently vary significantly across counties relative to the volume on nonconsensual lien filings. Any estimate of rejection of lien filings due to absence of envelopes, absence of addressing or improper addressing of envelopes, or absence of affixed proper postage is indeterminate.