

ONE HUNDRED SIXTH LEGISLATURE - FIRST SESSION - 2019
COMMITTEE STATEMENT
LB146

Hearing Date: Thursday January 24, 2019
Committee On: Judiciary
Introducer: Hansen, M.
One Liner: Change liability and damages provisions for refusal to accept acknowledged power of attorney

Roll Call Vote - Final Committee Action:
Advanced to General File

Vote Results:

Aye: 8 Senators Brandt, Chambers, DeBoer, Lathrop, Morfeld, Pansing Brooks, Slama, Wayne
Nay:
Absent:
Present Not Voting:

Oral Testimony:

Proponents:

Senator Matt Hansen
Kara Brostrum

Representing:

Introducer
Nebraska State Bar Association

Opponents:

Bob Hallstrom

Representing:

Nebraska Bankers Association

Neutral:

Representing:

Summary of purpose and/or changes:

Section 1 Amends section 30-4020 to add language on liability if a person improperly refuses to accept an acknowledged power of attorney. Subsection (4) adds language the a person improperly refusing is liable to not only the principal but also their heirs, assigns and to the personal representative of the estate. The bill also delineates the damages that may be claimed including economic damages, prejudgement interest, and reasonable attorney fees.

Section 2 Repeals original section.

Steve Lathrop, Chairperson