

**ONE HUNDRED SIXTH LEGISLATURE - FIRST SESSION - 2019**  
**COMMITTEE STATEMENT**  
**LB433**

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**Hearing Date:** Friday March 01, 2019  
**Committee On:** Judiciary  
**Introducer:** Hansen, M.  
**One Liner:** Change provisions relating to return of tenant's deposits and damages

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

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

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**Oral Testimony:**

**Proponents:**

Senator Matt Hansen  
Alexa Barton  
Sam Raybine  
Sara Rips  
Erin Feichtinger  
Kevin Ruser  
Carina McCormick  
Renee Just

**Representing:**

Introducer  
self  
self  
Legal Aid of Nebraska  
Together  
self  
self  
self

**Opponents:**

John Chatelain  
Kerry Davidson  
Dana Steffan  
Larry Storer  
Lynn Fisher

**Representing:**

Metro Omaha Property Owners Association  
The Evangelical Good Samaritan Society  
Fee Based Property Management  
self  
Great Place Properties; Real Estate Owners & Managers Association

**Neutral:**

Scott Hoffman

**Representing:**

self

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**Summary of purpose and/or changes:**

LB 433 requires landlords to provide the balance due on a security deposit within 14 days after termination to an address provided by the tenant or their last known address. It also establishes liquidated damages if the landlord fails to provide the balance of the security deposit. Damages related to the removal of the tenant due to a governmental body order because the premises are not fit for habitation.

Section 1 Amends section 76-1416 which addresses security deposits on rental property. The bill adds language requiring the landlord to mail the balance of the security deposit within 14 days after termination to the address provided

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by the tenant or to the last known address if none is provided. The changes also provide for additional liquidated damages of one month's rent if the landlord fails to provide the balance of the security deposit. Tenants shall not be liable for damage related to removal if the premises are not fit for habitation due to neglect as determined by a governmental body.

Section 2 Repeals original section

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**Explanation of amendments:**

The Committee Amendment to LB 433, AM 981, incorporates portions of LB 434 into LB 433. LB 434 proposed lengthening the period of time for payment of rent after a notice of intent to terminate from three days to seven days and provided a right of redemption within seven days after termination for non payment. AM 981 incorporates the seven calendar days to pay rent after the notice into LB 433 but does not include the right of redemption provisions.

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Steve Lathrop, Chairperson