

Legislature - First Session - 2019

Introducer's Statement of Intent

LB28

Chairperson: Senator Steve Lathrop

Committee: Judiciary

Date of Hearing: January 24, 2019

The following constitutes the reasons for this bill and the purposes which are sought to be accomplished thereby:

The purpose of LB 28 is to authorize damages for property taxes and special assessments paid on property lost through adverse possession. The proposal would give the presiding judge discretion to require that the prevailing party compensate the record owner for part or all of property tax or special assessments paid by the record owner during the ten-year period of adverse possession if doing so appears equitable and just. It also allows the presiding judge to require that the prevailing party pay the county treasurer part or all of any property taxes or special assessments levied on the real property after filing of an adverse possession claim and which remain unpaid at the time of judgment if doing so appears equitable and just. This section does not apply to any cause of action arising prior to January 1, 2020.

Principal Introducer: _____

Senator Mark Kolterman