

ONE HUNDRED NINTH LEGISLATURE - FIRST SESSION - 2025
COMMITTEE STATEMENT
LB185

Hearing Date: Thursday January 30, 2025
Committee On: Judiciary
Introducer: Dover
One Liner: Provide for electronic notices by landlords under the Uniform Residential Landlord and Tenant Act and the Mobile Home Landlord and Tenant Act

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

Vote Results:
Aye: 8 Senators Bosn, DeBoer, Hallstrom, Holdcroft, McKinney, Rountree, Storer, Storm
Nay:
Absent:
Present Not Voting:

Testimony:

Proponents:

Senator Robert Dover
Lynn Fisher
Tara Holterhaus

Kristy Lamb
Korby Gilbertson

Dennis Tierney
Nathan Haugen

Opponents:

Neutral:

Erin Feichtinger

Representing:

Opening Presenter
Statewide Property Owners Association
Apartment Association of Nebraska; Nebraska Association of Commercial Property Owners; Spencer Fane LLP
NP Dodge; Institute of Real Estate Management
Nebraska Realtors Association; Homebuilders Association of Lincoln; Metro Omaha Builders Association
self
Metro Omaha Property Owners Association

Representing:

Representing:

Women's Fund of Omaha

* ADA Accommodation Written Testimony

Summary of purpose and/or changes:

LB 185 amends the Uniform Residential Landlord and Tenant Act and the Mobile Home Landlord and Tenant Act to allow for electronic communication between landlords and tenants under certain circumstances.



Section-by-Section Summary:

Section 1: Amends § 76-1410 to add a definition for “writing or written” to include a notice or document provided by electronic means.

Section 2: Amends § 76-1413 to add that a person has notice of a fact under this section if notice is delivered electronically, defines “delivered by electronic means,” and outlines electronic delivery methods. It also allows certain documents to be delivered, stored, and presented electronically if they meet the requirements of the Uniform Electronic Transactions Act. A landlord may deliver a notice or document electronically to a tenant if certain enumerated circumstances are met. Finally, this section provides that it shall not be construed to supersede the federal Electronic Signatures in Global and National Commerce Act.

Section 3: Amends § 76-1450 to include Section 5 of the bill as part of the Mobile Home Landlord and Tenant Act.

Section 4: Amends § 76-1457 to include the definition in Section 5 of the bill as a defined term for purposes of the Mobile Home Landlord and Tenant Act.

Section 5: Adds a new section containing the definition of “writing or written,” using the definition for that term from section 1 of LB 185.

Section 6: Amends § 76-1474 to add the same language as section 2 of LB 185 to the Mobile Home Landlord and Tenant Act.

Section 7: Repealer.

Explanation of amendments:

LB 185 requires that before a tenant consents to have a notice or document delivered by electronic means, the landlord to inform a tenant of any conditions or consequences imposed in the event the tenant withdraws consent. The Committee Amendment, AM 75, entitles a tenant to withdraw consent without the imposition of any conditions or consequences.

Carolyn Bosn, Chairperson

