

LEGISLATURE OF NEBRASKA
ONE HUNDRED NINTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 1074

Introduced by Sanders, 45.

Read first time January 15, 2026

Committee: Government, Military and Veterans Affairs

1 A BILL FOR AN ACT relating to unclaimed property; to amend section
2 69-1315, Reissue Revised Statutes of Nebraska, and section 69-1317,
3 Revised Statutes Supplement, 2025; to change provisions relating to
4 a statute of limitations; to change the treatment of proceeds from
5 abandoned property; to change fund balance limitations; to create a
6 trust fund; to provide duties for the State Treasurer; to harmonize
7 provisions; and to repeal the original sections.
8 Be it enacted by the people of the State of Nebraska,

1 **Section 1.** Section 69-1315, Reissue Revised Statutes of Nebraska, is
2 amended to read:

3 69-1315 (a) The expiration of any period of time specified by
4 contract, statute, or court order, during which an action or proceeding
5 may be commenced or enforced to obtain payment of a claim for money or
6 recovery of property, shall not prevent the money or property from being
7 presumed abandoned property, nor affect any duty to file a report
8 required by the Uniform Disposition of Unclaimed Property Act or to pay
9 or deliver abandoned property to the State Treasurer. Holders shall not
10 be required to report or to pay or to deliver abandoned property or
11 unclaimed funds as to which the statute of limitations applicable to the
12 enforcement of any claim to such property shall have expired prior to
13 December 25, 1969.

14 (b) Except as provided in subsection (c) of this section, no ~~No~~
15 action or proceeding may be commenced by the State Treasurer with respect
16 to any duty of a holder under the act more than seven years after the
17 holder files a report for the period in which the duty arose. This
18 subsection shall not apply to holders described in section 69-1307.01.

19 (c) The period of limitation established under subsection (b) of
20 this section is tolled by the delivery of a notice by the State Treasurer
21 that a holder is subject to an examination under section 69-1322 or the
22 written election by the holder to enter into a voluntary disclosure
23 agreement, whichever occurs first. The tolling period shall end upon
24 completion of the examination under section 69-1322, the filing of any
25 report required pursuant to such voluntary disclosure agreement, or the
26 termination of such voluntary disclosure agreement by the State
27 Treasurer, whichever occurs first.

28 **Sec. 2.** Section 69-1317, Revised Statutes Supplement, 2025, is
29 amended to read:

30 69-1317 (a)(1)(i) Except as otherwise provided in this subdivision,
31 all funds received under the Uniform Disposition of Unclaimed Property

1 Act , ~~including the proceeds from the sale of abandoned property under~~
2 section 69-1316, shall be deposited by the State Treasurer into the
3 Unclaimed Property Trust Fund from which he or she shall make prompt
4 payment of claims allowed pursuant to the act and payment of any expenses
5 related to unclaimed property. All funds received under section
6 69-1307.05 shall be deposited by the State Treasurer into the Unclaimed
7 Property Trust Fund from which he or she shall make prompt payment of
8 claims regarding such funds allowed pursuant to the act. All funds
9 received under section 69-1316 shall be deposited by the State Treasurer
10 into the Unclaimed Property Liquidation Proceeds Trust Fund. Transfers
11 from the Unclaimed Property Trust Fund to the General Fund may be made at
12 the direction of the Legislature. Before making any the deposit pursuant
13 to this subdivision, the State Treasurer he or she shall record the name
14 and last-known address of each person appearing from the holders' reports
15 to be entitled to the abandoned property, the name and last-known address
16 of each insured person or annuitant, and with respect to each policy or
17 contract listed in the report of a life insurance corporation, its
18 number, the name of the corporation, and the amount due. The record shall
19 be available for public inspection during business hours.

20 (ii) The record shall not be subject to public inspection or
21 available for copying, reproduction, or scrutiny by commercial or
22 professional locators of property presumed abandoned who charge any
23 service. A finders' fee cannot be charged by commercial or professional
24 locators of property presumed abandoned until twenty-four months after
25 the names from the holders' reports have been published or officially
26 disclosed. Records concerning the social security number, date of birth,
27 and last-known address of an owner shall be treated as confidential and
28 subject to the same confidentiality as tax return information held by the
29 Department of Revenue, except that the Auditor of Public Accounts shall
30 have unrestricted access to such records.

31 (iii) A professional finders' fee shall be limited to ten percent of

1 the total dollar amount of the property presumed abandoned. To claim any
2 such fee, the finder shall disclose to the owner the nature, location,
3 and value of the property, provide notice of when such property was
4 reported to the State Treasurer, and provide notice that the property may
5 be claimed by the owner from the State Treasurer free of charge. To claim
6 any such fee if the property has not yet been abandoned, the finder shall
7 disclose to the owner the nature, location, and value of the property,
8 provide notice of when such property will be reported to the State
9 Treasurer, if known, and provide notice that, upon receipt of the
10 property by the State Treasurer, such property may be claimed by the
11 owner from the State Treasurer free of charge.

12 (2)(i) The unclaimed property records of the State Treasurer, the
13 unclaimed property reports of holders, and the information derived by an
14 unclaimed property examination or audit of the records of a person or
15 otherwise obtained by or communicated to the State Treasurer may be
16 withheld from the public. Any record or information that may be withheld
17 under the laws of this state or of the United States when in the
18 possession of such a person may be withheld when revealed or delivered to
19 the State Treasurer. Any record or information that is withheld under any
20 law of another state when in the possession of that other state may be
21 withheld when revealed or delivered by the other state to the State
22 Treasurer.

23 (ii) Information withheld from the general public concerning any
24 aspect of unclaimed property shall only be disclosed to an apparent owner
25 of the property or to the escheat, unclaimed, or abandoned property
26 administrators or officials of another state if that other state accords
27 substantially reciprocal privileges to the State Treasurer.

28 (b)(1) On or before November 1 of each year prior to 2026, the State
29 Treasurer shall transfer any balance in excess of one million dollars
30 from the Unclaimed Property Trust Fund to the permanent school fund.

31 (2) On or before November 1 of each year beginning in 2026 through

1 2035, the State Treasurer shall transfer any balance in excess of five
2 one million dollars from the Unclaimed Property Trust Fund as follows:

3 (i) The first one million dollars to the Capitol Restoration Cash
4 Fund; and

5 (ii) Any remaining balance to the permanent school fund.

6 (3) On or before November 1 of each year beginning in 2036, the
7 State Treasurer shall transfer any balance in excess of five one million
8 dollars from the Unclaimed Property Trust Fund to the permanent school
9 fund.

10 (c) Before making any deposit to the credit of the permanent school
11 fund, the Capitol Restoration Cash Fund, or the General Fund, the State
12 Treasurer may deduct any costs related to unclaimed property and place
13 such funds in the Unclaimed Property Cash Fund.

14 (d) The Unclaimed Property Cash Fund is created. Transfers from the
15 fund to the General Fund may be made at the direction of the Legislature.
16 Any money in the Unclaimed Property Cash Fund available for investment
17 shall be invested by the state investment officer pursuant to the
18 Nebraska Capital Expansion Act and the Nebraska State Funds Investment
19 Act.

20 (e) The Unclaimed Property Liquidation Proceeds Trust Fund is
21 created. The fund shall be administered by the State Treasurer. The State
22 Treasurer shall credit money to the fund as provided in subdivision (a)
23 (1)(i) of this section. Money in the fund shall be transferred to the
24 Unclaimed Property Trust Fund as needed to pay claims arising under
25 section 69-1316. Money in the fund shall be used for no other purpose. At
26 such time as money in this fund is no longer needed to ensure the payment
27 of claims arising under section 69-1316, the balance remaining in the
28 fund shall be transferred to the Unclaimed Property Trust Fund. Any money
29 in the Unclaimed Property Liquidation Proceeds Trust Fund available for
30 investment shall be invested by the state investment officer pursuant to
31 the Nebraska Capital Expansion Act and the Nebraska State Funds

1 Investment Act.

2 **Sec. 3.** Original section 69-1315, Reissue Revised Statutes of
3 Nebraska, and section 69-1317, Revised Statutes Supplement, 2025, are
4 repealed.