

LEGISLATURE OF NEBRASKA
ONE HUNDRED NINTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 1230

Introduced by Strommen, 47.

Read first time January 21, 2026

Committee: Judiciary

1 A BILL FOR AN ACT relating to property; to amend sections 69-2303,
2 69-2308, and 76-14,109, Reissue Revised Statutes of Nebraska,
3 sections 60-149 and 69-2302, Revised Statutes Cumulative Supplement,
4 2024, and section 60-166, Revised Statutes Supplement, 2025; to
5 provide for certificates of title for mobile homes as prescribed; to
6 provide for certain property relating to mobile homes and define and
7 redefine terms in the Disposition of Personal Property Landlord and
8 Tenant Act; to harmonize provisions; and to repeal the original
9 sections.
10 Be it enacted by the people of the State of Nebraska,

1 **Section 1.** Section 60-149, Revised Statutes Cumulative Supplement,
2 2024, is amended to read:

3 60-149 (1)(a) If a certificate of title has previously been issued
4 for a vehicle in this state, the application for a new certificate of
5 title shall be accompanied by the certificate of title duly assigned
6 except as otherwise provided in the Motor Vehicle Certificate of Title
7 Act.

8 (b) Except for manufactured homes or mobile homes as provided in
9 subsection (2) of this section, if a certificate of title has not
10 previously been issued for the vehicle in this state or if a certificate
11 of title is unavailable, the application shall be accompanied by:

12 (i) A manufacturer's or importer's certificate except as otherwise
13 provided in subdivision (viii) of this subdivision;

14 (ii) A duly certified copy of the manufacturer's or importer's
15 certificate;

16 (iii) An affidavit by the owner affirming ownership in the case of
17 an all-terrain vehicle, a utility-type vehicle, or a minibike;

18 (iv) A certificate of title from another state;

19 (v) A court order issued by a court of record, a manufacturer's
20 certificate of origin, or an assigned registration certificate, if the
21 law of the state from which the vehicle was brought into this state does
22 not have a certificate of title law;

23 (vi) Evidence of ownership as provided for in section 30-24,125,
24 sections 52-601.01 to 52-605, sections 60-1901 to 60-1911, or sections
25 60-2401 to 60-2411;

26 (vii) Documentation prescribed in section 60-142.01, 60-142.02,
27 60-142.04, 60-142.05, 60-142.09, or 60-142.11 or documentation of
28 compliance with section 76-1607;

29 (viii) A manufacturer's or importer's certificate and an affidavit
30 by the owner affirming ownership in the case of a minitruck;

31 (ix) In the case of a motor vehicle, a trailer, an all-terrain

1 vehicle, a utility-type vehicle, or a minibike, an affidavit by the
2 holder of a motor vehicle auction dealer's license as described in
3 subdivision (11) of section 60-1406 affirming that the certificate of
4 title is unavailable and that the vehicle (A) is a salvage vehicle
5 through payment of a total loss settlement, (B) is a salvage vehicle
6 purchased by the auction dealer, or (C) has been donated to an
7 organization operating under section 501(c)(3) of the Internal Revenue
8 Code as defined in section 49-801.01; or

9 (x) A United States Government Certificate to Obtain Title to a
10 Vehicle.

11 (c) If the application for a certificate of title in this state is
12 accompanied by a valid certificate of title issued by another state which
13 meets that state's requirements for transfer of ownership, then the
14 application may be accepted by this state.

15 (d) If a certificate of title has not previously been issued for the
16 vehicle in this state and the applicant is unable to provide such
17 documentation, the applicant may apply for a bonded certificate of title
18 as prescribed in section 60-167.

19 (2)(a) If the application for a certificate of title for a
20 manufactured home or a mobile home is being made in accordance with
21 subdivision (4)(b) of section 60-137 or if the certificate of title for a
22 manufactured home or a mobile home is unavailable, the application shall
23 be accompanied by proof of ownership in the form of:

24 (i) A duly assigned manufacturer's or importer's certificate;

25 (ii) A certificate of title from another state;

26 (iii) A court order issued by a court of record;

27 (iv) Evidence of ownership as provided for in the Disposition of
28 Personal Property Landlord and Tenant Act or section 30-24,125, sections
29 52-601.01 to 52-605, sections 60-1901 to 60-1911, or sections 60-2401 to
30 60-2411 , or documentation of compliance with section 76-1607; or

31 (v) Assessment records for the manufactured home or mobile home from

1 the county assessor and an affidavit by the owner affirming ownership.

2 (b) If the applicant cannot produce proof of ownership described in
3 subdivision (a) of this subsection, he or she may submit to the
4 department such evidence as he or she may have, and the department may
5 thereupon, if it finds the evidence sufficient, issue the certificate of
6 title or authorize the county treasurer to issue a certificate of title,
7 as the case may be.

8 (3) For purposes of this section, certificate of title includes a
9 salvage certificate, a salvage branded certificate of title, or any other
10 document of ownership issued by another state or jurisdiction for a
11 salvage vehicle. Only a salvage branded certificate of title shall be
12 issued to any vehicle conveyed upon a salvage certificate, a salvage
13 branded certificate of title, or any other document of ownership issued
14 by another state or jurisdiction for a salvage vehicle. A previously
15 salvage branded certificate of title may be issued if, prior to
16 application, the applicant's vehicle has been repaired and inspected as
17 provided in section 60-146.

18 (4) The county treasurer shall retain the evidence of title
19 presented by the applicant and on which the certificate of title is
20 issued.

21 (5)(a) If an affidavit is submitted under subdivision (1)(b)(ix) of
22 this section, the holder of a motor vehicle auction dealer's license
23 shall certify that (i) it has made at least two written attempts and has
24 been unable to obtain the properly endorsed certificate of title to the
25 property noted in the affidavit from the owner and (ii) thirty days have
26 expired after the mailing of a written notice regarding the intended
27 disposition of the property noted in the affidavit by certified mail,
28 return receipt requested, to the last-known address of the owner and to
29 any lien or security interest holder of record of the property noted in
30 the affidavit.

31 (b) The notice under subdivision (5)(a)(ii) of this section shall

1 contain a description of the property noted in the affidavit and a
2 statement that title to the property noted in the affidavit shall vest in
3 the holder of the motor vehicle auction dealer's license thirty days
4 after the date such notice was mailed.

5 (c) The mailing of notice and the expiration of thirty days under
6 subdivision (5)(a)(ii) of this section shall extinguish any lien or
7 security interest of a lienholder or security interest holder in the
8 property noted in the affidavit, unless the lienholder or security
9 interest holder has claimed such property within such thirty-day period.
10 The holder of a motor vehicle auction dealer's license shall transfer
11 possession of the property noted in the affidavit to the lienholder or
12 security interest holder claiming such property.

13 **Sec. 2.** Section 60-166, Revised Statutes Supplement, 2025, is
14 amended to read:

15 60-166 (1)(a) This subsection applies prior to the implementation
16 date designated by the Director of Motor Vehicles pursuant to subsection
17 (2) of section 60-1508.

18 (b) In the event of (i) the transfer of ownership of a vehicle by
19 operation of law as upon inheritance, devise, bequest, order in
20 bankruptcy, insolvency, replevin, or execution sale or as provided in
21 sections 30-24,125, 52-601.01 to 52-605, 60-1901 to 60-1911, and 60-2401
22 to 60-2411, (ii) the engine of a vehicle being replaced by another
23 engine, (iii) a vehicle being sold to satisfy storage or repair charges
24 or under section 76-1607, or (iv) repossession being had upon default in
25 performance of the terms of a chattel mortgage, trust receipt,
26 conditional sales contract, or other like agreement, the county treasurer
27 of any county or the department, upon the surrender of the prior
28 certificate of title or the manufacturer's or importer's certificate, or
29 when that is not possible, upon presentation of satisfactory proof of
30 ownership and right of possession to such vehicle, and upon payment of
31 the appropriate fee and the presentation of an application for

1 certificate of title, may issue to the applicant a certificate of title
2 thereto.

3 (2)(a) This subsection applies beginning on the implementation date
4 designated by the director pursuant to subsection (2) of section 60-1508.

5 (b) In the event of (i) the transfer of ownership of a vehicle by
6 operation of law as upon inheritance, devise, bequest, order in
7 bankruptcy, insolvency, replevin, or execution sale or as provided in the
8 Disposition of Personal Property Landlord and Tenant Act or section
9 30-24,125, sections 52-601.01 to 52-605, sections 60-1901 to 60-1911, and
10 sections 60-2401 to 60-2411, (ii) the engine of a vehicle being replaced
11 by another engine, (iii) a vehicle being sold to satisfy storage or
12 repair charges or under section 76-1607, or (iv) repossession being had
13 upon default in performance of the terms of a chattel mortgage, trust
14 receipt, conditional sales contract, or other like agreement, and upon
15 acceptance of an electronic certificate of title record after
16 repossession, in addition to the title requirements in this section, the
17 county treasurer of any county or the department, upon the surrender of
18 the prior certificate of title or the manufacturer's or importer's
19 certificate, or when that is not possible, upon presentation of
20 satisfactory proof of ownership and right of possession to such vehicle,
21 and upon payment of the appropriate fee and the presentation of an
22 application for certificate of title, may issue to the applicant a
23 certificate of title thereto.

24 (3) If the prior certificate of title issued for such vehicle
25 provided for joint ownership with right of survivorship, a new
26 certificate of title shall be issued to a subsequent purchaser upon the
27 assignment of the prior certificate of title by the surviving owner and
28 presentation of satisfactory proof of death of the deceased owner.

29 (4) Only an affidavit by the person or agent of the person to whom
30 possession of such vehicle has so passed, setting forth facts entitling
31 him or her to such possession and ownership, together with a copy of a

1 court order or an instrument upon which such claim of possession and
2 ownership is founded, shall be considered satisfactory proof of ownership
3 and right of possession, except that if the applicant cannot produce such
4 proof of ownership, he or she may submit to the department such evidence
5 as he or she may have, and the department may thereupon, if it finds the
6 evidence sufficient, issue the certificate of title or authorize any
7 county treasurer to issue a certificate of title, as the case may be.

8 (5) If from the records of the county treasurer or the department
9 there appear to be any liens on such vehicle, such certificate of title
10 shall comply with section 60-164, 60-165, or 60-165.02 regarding such
11 liens unless the application is accompanied by proper evidence of their
12 satisfaction or extinction.

13 **Sec. 3.** Section 69-2302, Revised Statutes Cumulative Supplement,
14 2024, is amended to read:

15 69-2302 For purposes of the Disposition of Personal Property
16 Landlord and Tenant Act:

17 (1) Landlord means the owner, lessor, or sublessor of furnished or
18 unfurnished premises ~~, including self-service storage units or~~
19 ~~facilities,~~ for rent or his or her agent or successor in interest;

20 (2) Mobile home has the same meaning as in section 76-1463;

21 (3) Mobile home park has the same meaning as in section 76-1464;

22 (4) Mobile home space has the same meaning as in section 76-1465;

23 (5) {2} Owner means one or more persons, jointly or severally, in
24 whom is vested (a) all or part of the legal title to property or (b) all
25 or part of the beneficial ownership and a right to present use and
26 enjoyment of premises and shall include a mortgagee in possession;

27 (6) Personal property means movable property not affixed to land.
28 Personal property includes, but is not limited to, goods, wares,
29 merchandise, motor vehicles, mobile homes, watercraft, household items,
30 and furnishings;

31 (7) {3} Premises means:

1 (a) A a dwelling unit as defined in section 76-1410 or section
2 76-1459 or a distinct portion of a dwelling unit, the facilities and
3 appurtenances in such dwelling unit, and the grounds, areas, and
4 facilities held out for the use of tenants generally or the use of which
5 is promised to the tenants;

6 (b) A mobile home space or mobile home park; or

7 (c) Self-service ~~(b) self-service~~ storage units or facilities;

8 (8) ~~(4)~~ Reasonable belief means the knowledge or belief a prudent
9 person should have without making an investigation, including any
10 investigation of public records, except that when the landlord has
11 specific information indicating that such an investigation would more
12 probably than not reveal pertinent information and the cost of such an
13 investigation would be reasonable in relation to the probable value of
14 the personal property involved, reasonable belief shall include the
15 actual knowledge or belief a prudent person would have if such
16 investigation were made;

17 (9) ~~(5)~~ Reasonable costs of storage includes:

18 (a) Reasonable costs actually incurred, the reasonable value of
19 labor actually provided, or both in removing personal property from its
20 original location on the vacated premises to the place of storage,
21 including disassembly and transportation; and

22 (b) Reasonable storage costs actually incurred which shall not
23 exceed the fair rental value of the space reasonably required for the
24 storage of the personal property; and

25 (10) ~~(6)~~ Tenant means a person entitled under a rental agreement to
26 occupy any premises for rent or storage uses to the exclusion of others
27 whether such premises are used as a dwelling unit or self-service storage
28 unit or facility or not.

29 **Sec. 4.** Section 69-2303, Reissue Revised Statutes of Nebraska, is
30 amended to read:

31 69-2303 (1) Except as otherwise provided in subsection (5) of

1 section 76-1414, when personal property remains on the premises after a
2 tenancy has terminated or expired and the premises have been vacated by
3 the tenant, the landlord shall give written notice as provided in
4 subsection (2) of this section to such tenant and to any other person the
5 landlord reasonably believes to be the owner of the property.

6 (2)(a) The notice required by subsection (1) of this section shall
7 describe the property in a manner reasonably adequate to permit the owner
8 of the property to identify it. The notice may describe all or a portion
9 of the property, but the limitation of liability provided by section
10 69-2309 shall not protect the landlord from any liability arising from
11 the disposition of property not described in the notice, except that the
12 notice need not describe the contents of any:

13 (i) Trunk a trunk, valise, box, or other container which is locked,
14 fastened, or tied in a manner which deters immediate access to its
15 contents; or

16 (ii) Mobile home which is locked in a manner which deters immediate
17 access to its interior may be described as such without describing its
18 contents.

19 (b) The notice shall state that reasonable costs of storage may be
20 charged before the property is returned, the location where the property
21 may be claimed, and the date on or before which such property must be
22 claimed.

23 (c) The date specified in the notice shall be a date not less than
24 seven days after the notice is personally delivered or, if mailed, not
25 less than fourteen days after the notice is deposited in the mail.

26 (d) The notice shall be given within six months of the date of
27 expiration of the lease of the property or the date of discovery of the
28 abandonment, whichever is later.

29 (3) The notice shall be personally delivered or sent by first-class
30 mail, postage prepaid, to the person to be notified at his or her last-
31 known address and, if there is reason to believe that the notice sent to

1 that address will not be received by him or her, also delivered or sent
2 to such other address, if any, known to the landlord at which such person
3 may reasonably be expected to receive the notice.

4 **Sec. 5.** Section 69-2308, Reissue Revised Statutes of Nebraska, is
5 amended to read:

6 69-2308 (1) If the personal property is not released pursuant to
7 section 69-2307, it shall be sold at public sale by competitive bidding,
8 except that if the landlord reasonably believes that the total resale
9 value of the property not released is less than two thousand dollars, he
10 or she may retain such property for his or her own use or dispose of it
11 in any manner he or she chooses. At such time as the decision to sell or
12 to retain is made, any locked mobile home or trunk, valise, box, or other
13 container shall be opened, if practicable, with as little damage as
14 possible, and its contents evaluated. Nothing in this section shall be
15 construed to preclude the landlord or the tenant from bidding on the
16 property at the public sale. The successful bidder's title shall be
17 subject to ownership rights, liens, and security interests which have
18 priority by law.

19 (2) Notice of the time and place of the public sale shall be given
20 by advertisement of the sale published once a week for two consecutive
21 weeks in a newspaper of general circulation in the county where the sale
22 is to be held. If there is no newspaper of general circulation in the
23 county where the sale is to be held, the advertisement shall be posted no
24 fewer than ten days before the sale in not less than six conspicuous
25 places in the neighborhood of the proposed sale. The sale shall be held
26 at the nearest suitable place to the place where the personal property is
27 held or stored. The advertisement shall include a description of the
28 goods, the name of the former tenant, and the time and place of the sale.
29 The sale shall take place no sooner than ten days after the first
30 publication. The last publication shall be no less than five days before
31 the sale is to be held. Notice of sale may be published before the last

1 of the dates specified for taking possession of the property in any
2 notice given pursuant to section 69-2303.

3 (3) The notice of the sale shall describe the property to be sold in
4 a manner reasonably adequate to permit the owner of the property to
5 identify it. The notice may describe all or a portion of the property,
6 but the limitation of liability provided by section 69-2309 shall not
7 release the landlord from any liability arising from the disposition of
8 property not described in the notice.

9 (4) After deduction of the reasonable costs of storage, advertising,
10 and sale, any proceeds of the sale not claimed by the former tenant, an
11 owner other than such tenant, or another person having an interest in the
12 proceeds shall, not later than thirty days after the date of sale, be
13 remitted to the State Treasurer for disposition pursuant to the Uniform
14 Disposition of Unclaimed Property Act. The former tenant, other owner, or
15 other person having interest in the proceeds may claim the proceeds by
16 complying with the act. If the State Treasurer pays the proceeds or any
17 part thereof to a claimant, neither the State Treasurer nor any employee
18 thereof shall be liable to any other claimant as to the amount paid.

19 **Sec. 6.** Section 76-14,109, Reissue Revised Statutes of Nebraska, is
20 amended to read:

21 76-14,109 (1) If a tenant abandons a mobile home on a mobile home
22 space, the mobile home shall ~~may~~ not be removed from the mobile home
23 space by the tenant or his or her agent without:

24 (a) A signed written authorization from the landlord granting
25 clearance for removal, showing all money due and owing paid in full; ~~or~~

26 (b) Compliance with the Disposition of Personal Property Landlord
27 and Tenant Act; or

28 (c) An ~~an~~ agreement reached with the legal owner and the landlord.

29 (2) A mobile home shall be considered to be abandoned if the tenant
30 has defaulted in rent and has, by absence of at least thirty days or by
31 words or actions, reasonably indicated an intention not to continue the

1 tenancy.

2 (3) Nothing in this section shall prohibit a landlord from removing
3 an abandoned mobile home from the mobile home space and placing it in
4 storage at the owner's expense or from utilizing any other legal remedy.

5 **Sec. 7.** Original sections 69-2303, 69-2308, and 76-14,109, Reissue
6 Revised Statutes of Nebraska, sections 60-149 and 69-2302, Revised
7 Statutes Cumulative Supplement, 2024, and section 60-166, Revised
8 Statutes Supplement, 2025, are repealed.