

ONE HUNDRED SECOND LEGISLATURE - FIRST SESSION - 2011
COMMITTEE STATEMENT
LB254

Hearing Date: Thursday February 03, 2011
Committee On: Government, Military and Veterans Affairs
Introducer: Campbell
One Liner: Provide and change requirements for instruments recorded by the register of deeds

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

Vote Results:

Aye:	7	Senators Avery, Brasch, Janssen, Karpisek, Price, Schumacher, Sullivan
Nay:		
Absent:	1	Senator Pahls
Present Not Voting:		

Proponents:

Senator Kathy Campbell
Lloyd Dowding
Beth Bazyn Ferrell
Deborah Scott

Representing:

Introducer
Register of Deeds - Sarpy County
Nebraska Association of County Officials
Nebraska Land Title Association

Opponents:

Korby Gilbertson
Bob Hallstrom

Representing:

Nebraska Realtors Association
Nebraska Bankers Association

Neutral:

Representing:

Summary of purpose and/or changes:

LB 254 changes requirements for instruments recorded by the register of deeds.

Generally, all instruments submitted for recording will be on paper measuring eight and one-half inches by eleven inches, but not larger than 14 inches; will be printed in black ink on white paper without watermarks; will be sufficiently legible; will be signed in black or dark blue ink; and the name of each party will be typed or stamped beneath the original signature. The bill also establishes margin limits.

These requirements do not apply to: instruments signed before the effective date of this bill; instruments executed outside the United States; certified copies of instruments issued by governmental agencies; instruments signed by an original party who is incapacitated or deceased at the time of recording; instruments formatted to meet court requirements; federal and state tax liens; and plats and surveys.

Any printed form accepted for recordation that does not comply with the provisions of this bill will not affect the validity of the recording.

Explanation of amendments:

The committee amendment provides that the changes made by this legislation do not affect the duty of the register of deeds to file an instrument for recordation.

Bill Avery, Chairperson