

ONE HUNDRED THIRD LEGISLATURE - FIRST SESSION - 2013
COMMITTEE STATEMENT
LB415

Hearing Date: Tuesday March 05, 2013
Committee On: Judiciary
Introducer: Seiler
One Liner: Change provisions relating to financial institutions and attachment and garnishment

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

Vote Results:

Aye:	7	Senators Ashford, Chambers, Christensen, Davis, Lathrop, McGill, Seiler
Nay:		
Absent:		
Present Not Voting:	1	Senator Coash

Proponents: SEN. LES SEILER BOB HALLSTROM	Representing: INTRODUCER NEBRASKA BANKERS ASSOCIATION
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Opponents: TESSA HERMANSON	Representing: NEBRASKA COLLECTORS ASSOCIATION
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Neutral:	Representing:
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Summary of purpose and/or changes:

Amend statute sections 25-1010 and 25-1056 to allow financial institutions that operate more than one office or branch in the state to designate one location to receive service of garnishment summons. The designation would be made by filing notice with the Department of Banking and Finance and would be effective upon placement on a list on the department web site for public access. The designation could be modified or revoked by filing a notice of modification or revocation with the department. The department shall update its web site within 10 days of any filing and include the date of the most recent update on the website. Service made on a designated office or branch would be valid and effective as to any property or credits of the defendant in possession or control of any of the offices or branches of the financial institution. If service is made on an office or branch that is not designated to receive service of process, the financial institution may, in its discretion, elect to treat the service of summons as valid and effective or may file a statement with the interrogatories that the summons was not served at the designated location and therefore not processed and provide the address of the designated locale

Explanation of amendments:

AM 513 would add a definition of financial institution to the bill to limit application to those included in the definition.

Brad Ashford, Chairperson