

ONE HUNDRED FOURTH LEGISLATURE - FIRST SESSION - 2015
COMMITTEE STATEMENT
LB385

Hearing Date: Friday February 06, 2015
Committee On: Judiciary
Introducer: Lindstrom
One Liner: Change provisions relating to forcible entry and detainer and the Uniform Residential Landlord and Tenant Act

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

Vote Results:

Aye:	6	Senators Coash, Ebke, Krist, Morfeld, Seiler, Williams
Nay:	1	Senator Pansing Brooks
Absent:	1	Senator Chambers
Present Not Voting:		

Verbal Testimony:

Proponents:
SEN. BRETT LINDSTROM
GENE ECKEL

JOHN CHATELAIN
DANA STEFFAN

Representing:
INTRODUCER
NEBRASKA ASSOCIATION OF COMMERCIAL
PROPERTY OWNERS, APARTMENT ASSOCIATION
OF GREATER OMAHA AND LINCOLN
MOPOA/SPOA
REOMA

Opponents:

Representing:

Neutral:

Representing:

Summary of purpose and/or changes:

LB385 would amend 25-21,220 to authorize an action for forcible entry and detainer when a tenant has threatened the health, safety, or peaceful enjoyment of other tenants, the landlord, or the landlord's employees or agents, without the right of the tenant to cure the default.

LB385 would also amend the Uniform Residential Landlord and Tenant Act to permit an action for recovery of the premises upon three days notice if a tenant, occupant, member of tenant's household, guest, or other person under tenant's control engages in drug-related or violent criminal activity on the premises or engages in an activity that threatens the health, safety or peaceful enjoyment of other tenants, the landlord, or the landlord's employees or agents. The action for recovery would not be allowed if the tenant seeks a protective order, restraining order or reports the activity to law enforcement.

LB385 would require the incidents giving rise to a suit for recovery of possession to be included in the complaint.

Explanation of amendments:

AM1063 would remove the term peaceful enjoyment from LB385

Les Seiler, Chairperson