

ONE HUNDRED FIFTH LEGISLATURE - SECOND SESSION - 2018
COMMITTEE STATEMENT
LB847

Hearing Date: Friday January 19, 2018
Committee On: Judiciary
Introducer: Ebke
One Liner: Change provisions relating to waiver of certain testamentary rights of surviving spouses

Roll Call Vote - Final Committee Action:
Advanced to General File

Vote Results:

Aye:	7	Senators Baker, Ebke, Halloran, Hansen, Krist, Morfeld, Pansing Brooks
Nay:		
Absent:	1	Senator Chambers
Present Not Voting:		

Verbal Testimony:

Proponents:

Senator Laura Ebke
Bub Windle

Representing:

Introducer
Nebraska State Bar Association

Opponents:

Representing:

Neutral:

Representing:

Summary of purpose and/or changes:

LB 847 makes a technical change to Neb. Rev. Stat. Sec. 30-2316 to ensure the effective intent of the statute by adding the word "or" between subsections (b)(1) and (b)(2) of the statute. The change would clarify that a surviving spouse's waiver of certain rights is not enforceable if either the waiver was not executed voluntarily, or the waiver was unconscionable when executed and the spouse was not provided fair and reasonable disclosure of the property of financial obligations of the decedent, the spouse did not voluntarily waive in writing and right to disclosure, and the spouse did not have or could not reasonably have had adequate knowledge of the property or financial obligations of the decedent.

Laura Ebke, Chairperson