

ONE HUNDRED SEVENTH LEGISLATURE - FIRST SESSION - 2021
COMMITTEE STATEMENT
LB532

Hearing Date: Monday February 01, 2021
Committee On: Banking, Commerce and Insurance
Introducer: Lowe
One Liner: Change provisions relating to property under the Uniform Disposition of Unclaimed Property Act and the School Employees Retirement Act and change a security deposit provision under the Uniform Residential Landlord and Tenant Act

Roll Call Vote - Final Committee Action:

Advanced to General File

Vote Results:

Aye:	7	Senators Bostar, Flood, Lindstrom, McCollister, Pahls, Slama, Williams
Nay:		
Absent:		
Present Not Voting:	1	Senator Aguilar

Oral Testimony:

Proponents:

Senator John Lowe
Meghan Aguirre
Kent Rogert
Ryan Norman

Representing:

Introducer
Nebraska State Treasurer's Office
Statewide Property Owners Association
Apartment Association of Nebraska

Opponents:

Representing:

Neutral:

Representing:

Summary of purpose and/or changes:

This bill would amend various sections of the Uniform Disposition of Unclaimed Property Act and other sections throughout the statutes regarding unclaimed property. The bill would provide, section-by-section, as follows:

Section 1 would amend section 24-345 regarding money in the hand of the clerk of the district court to change Unclaimed Property Escheat Trust Fund to Unclaimed Property Trust Fund.

Section 2 would amend section 25-2717 regarding money in the hands of a county judge to change Unclaimed Property Escheat Trust Fund to Unclaimed Property Trust Fund.

Section 3 would amend section 69-1302 of the Uniform Disposition of Unclaimed Property Act regarding banking and financial organizations to reduce the dormancy period for a safe deposit box on which the lease or rental period has expired from "five" to "three" years, and further provide that if the State Treasurer determines that any property in the safe deposit box delivered to the State Treasurer has insubstantial commercial value, the State Treasurer may destroy or otherwise

dispose of the property at any time.

Section 4 would amend section 69-1310 of the Uniform Disposition of Unclaimed Property Act as it regards reports to the State Treasurer by holders of property presumed abandoned. This section would repeal provisions which provide that items of less than twenty-five dollars may be reported in the aggregate. This section would add new provisions which would provide that a person holding intangible property presumed abandoned due to be reported with a cumulative value of fifty dollars or less in a single reporting year shall not be required to report the property in that year but shall report the property in any year when the property value or total report value exceeds fifty dollars.

Section 5 would amend section 69-1317 of the Uniform Disposition of Unclaimed Property Act as if regards unclaimed property records of the State Treasurer to change Unclaimed Property Escheat Trust Fund to Unclaimed Property Trust Fund.

Section 6 would amend 69-1318 of the Uniform Disposition of Unclaimed Property Act to provide that a claimant may direct the State Treasurer to pay over or deliver any property, proceeds, and other sums payable to the claimant, to a nonprofit organization nominated by the State Treasurer.

Section 7 would amend section 76-1416 of the Uniform Residential Landlord and Tenant Act to provide that unclaimed prepaid rent and damage deposits unclaimed for one year shall be considered abandoned property to be reported and paid to the State Treasurer in accordance with the Uniform Disposition of Unclaimed Property Act.

Section 8 would amend section 79-956 of the School Employees Retirement Act to provide that if a member dies before the member's retirement date, the accumulated contributions shall be distributed in accordance with the Uniform Disposition of Unclaimed Property Act if no legal representative or beneficiary applies for such accumulated contributions, rather than if no legal representative or beneficiary applies for such accumulated contributions "within five years following the date of the deceased member's death".

Section 9 would amend section 85-1816 regarding the Employer Matching Contribution Incentive Program to change Unclaimed Property Escheat Trust Fund to Unclaimed Property Trust Fund.

Section 10 would amend section 85-1817 regarding the College Saving Plan Low-Income Matching Scholarship Program to change Unclaimed Property Escheat Trust Fund to Unclaimed Property Trust Fund.

Section 11 would amend section 85-2803 regarding the Meadowlark Endowment Fund to change Unclaimed Property Escheat Trust Fund to Unclaimed Property Trust Fund.

Section 12 would provide for the repealers.

Matt Williams, Chairperson