

LEGISLATURE OF NEBRASKA
ONE HUNDRED FOURTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 420

Introduced by Crawford, 45.

Read first time January 16, 2015

Committee: Urban Affairs

- 1 A BILL FOR AN ACT relating to sanitary and improvement districts; to
- 2 amend section 31-727.03, Reissue Revised Statutes of Nebraska; to
- 3 require acknowledgments from purchasers of real estate as
- 4 prescribed; and to repeal the original section.
- 5 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 31-727.03, Reissue Revised Statutes of Nebraska,
2 is amended to read:

3 31-727.03 (1) On or before December 31 of each year, the clerk of
4 each sanitary and improvement district shall file with the register of
5 deeds or, if none, the county clerk of the county or counties in which
6 the sanitary and improvement district is located a statement updated each
7 December 31 containing the following information:

8 (a 1) The names of the members of the current board of trustees of
9 the district;

10 (b 2) The names of the current attorney, accountant, and fiscal
11 agent of the district;

12 (c 3) The warrant and the bond principal indebtedness of the
13 district as of the preceding June 30. Such statement shall contain an
14 acknowledgment that the warrant and indebtedness are reflective of such
15 date; and

16 (d 4) The current bond tax levy and the current operating levy of
17 the district, as described in section 31-739, as of December 31.

18 For any late filing of the statement, the sanitary and improvement
19 district shall be assessed a late fee of ten dollars per day, not to
20 exceed a total of three hundred dollars for each late filing.

21 (2) The real estate broker or salesperson or, if none, the owner
22 shall distribute the most recent statement filed in accordance with this
23 section to any prospective purchaser of any real estate located within a
24 sanitary and improvement district.

25 (3) The real estate broker or salesperson or, if none, the owner
26 shall obtain an acknowledgment from any purchaser of any real estate
27 located within a sanitary and improvement district that the purchaser
28 understands: (a) The property is located within a sanitary and
29 improvement district; (b) sanitary and improvement districts are located
30 outside the corporate limits of any municipality; (c) residents of
31 sanitary and improvement districts are not eligible to vote in municipal

1 elections; and (d) owners of property located within sanitary and
2 improvement districts have limited access to services provided by nearby
3 municipalities until and unless the property is annexed by the
4 municipality. Such acknowledgment may be obtained separately from the
5 disclosure required under section 76-2,120.

6 (4) The statement shall be distributed and the acknowledgment
7 obtained on or before the date on which the purchaser becomes obligated
8 to purchase such real estate. The exclusive remedy for failure to provide
9 such statements and obtain such acknowledgments shall be an action for
10 damages, and any such failure shall not affect title to the real estate
11 or the validity of the conveyance.

12 Sec. 2. Original section 31-727.03, Reissue Revised Statutes of
13 Nebraska, is repealed.