

LEGISLATURE OF NEBRASKA
ONE HUNDRED SIXTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 633

Introduced by Wishart, 27.

Read first time January 23, 2019

Committee:

1 A BILL FOR AN ACT relating to county government; to amend sections
2 23-348.01, 23-1503, 23-1513, and 23-1517.02, Reissue Revised
3 Statutes of Nebraska, and section 23-1911, Revised Statutes
4 Cumulative Supplement, 2018; to change provisions relating to real
5 property owner information available to the public; to repeal the
6 original sections; and to outright repeal section 23-3211, Revised
7 Statutes Cumulative Supplement, 2018.
8 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 23-348.01, Reissue Revised Statutes of Nebraska,
2 is amended to read:

3 23-348.01 Within two calendar months after the close of each fiscal
4 year, each county board shall make, or cause to be made, acknowledged
5 under oath, and filed with the county clerk of such county, an inventory
6 statement of all real estate and real property in which such county has
7 any interest of any kind. Such inventory shall include all real estate
8 owned by the county or in which the county has an interest or lien of any
9 kind including liens acquired by operation of law for any purpose, except
10 real estate tax liens which have not been established by judicial decree
11 and except those parcels of land owned by the county for road rights-of-
12 way and other utility rights-of-way, but shall not include the
13 residential address or name of any owner of such real estate. Such
14 inventory shall set forth a description of such properties with
15 sufficient details that the property may be identified in the records of
16 the register of deeds, ~~and shall set forth, if within an area in which~~
17 ~~the property abuts upon a street, the street and street number of such~~
18 ~~property~~ and shall set forth the use being made of such property. The
19 county clerk shall retain such inventory for filing as a public record in
20 his or her office in a manner convenient for reference and in a manner
21 that protects the identity and residential address of any owner unless a
22 request is made in writing to the county assessor to provide such
23 information.

24 Sec. 2. Section 23-1503, Reissue Revised Statutes of Nebraska, is
25 amended to read:

26 23-1503 The register of deeds shall keep a book or computerized
27 system, as provided by section 23-1517.02, in which every instrument
28 filed for record in his or her office shall be entered at the time of
29 filing the same. The register of deeds shall ensure that the residential
30 address of any owner is kept confidential unless a request is made in
31 writing to the register of deeds to provide such information. Such books

1 or computerized systems shall show the final disposition of such
2 instrument and, if in book form, be as nearly as practicable in the
3 following form:

4 5 6 7 8	Grantor Grantee	Character of Instrument	Where Recorded		Date of Delivery			The Party To Whom Delivered
			Book	Page	Month	Day	Year	

9 Sec. 3. Section 23-1513, Reissue Revised Statutes of Nebraska, is
10 amended to read:

11 23-1513 The register of deeds shall keep a numerical index and shall
12 not make public the residential address of any owner unless a request is
13 made in writing to the register of deeds to provide such information. If
14 the book form of recording is used, such index shall be as nearly as
15 practicable in the following form:

16 Numerical Index			
17 Section		Township	
18		N.E. 1/4	N.W. 1/4
19 Grantee			
20 Grantor			
21 Kind of Instrument			
22			
23 County, Nebraska			
24 Range			
25 S.W. 1/4		S.E. 1/4	
26			
27 Acres			
28 Book			
29 Page			

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Remarks

Sec. 4. Section 23-1517.02, Reissue Revised Statutes of Nebraska, is amended to read:

23-1517.02 (1) The register of deeds may use a computerized system of indexing for deeds and conveyances, mortgages, the Construction Lien Record index, the Miscellaneous Record index, the federal lien index, the fee book, and all other supplemental indices that may be contained in such office and may combine such indices into one Land Record index. If a computerized system of indexing is used, the register of deeds may maintain a printout of all records stored in the computer system and shall have a security backup system for data and other programs in an electronic medium which shall be stored in a secure location. If maintained, the printout shall consist of a record of fees, a numerical tract index, and an alphabetical general index.

(2) In counties which do not use the computerized system provided in subsection (1) of this section, the register of deeds shall use the separate book or microfilm form of recording instruments as required prior to July 10, 1984.

(3) The register of deeds shall ensure that the residential address of any owner is kept confidential unless a request is made in writing to the register of deeds to provide such information.

Sec. 5. Section 23-1911, Revised Statutes Cumulative Supplement, 2018, is amended to read:

23-1911 The county surveyor shall record all surveys, for permanent purposes, made by him or her, as required by sections 81-8,121 to 81-8,122.02. Such record shall set forth the names of the persons making the application for the survey, for whom the work was done, and a statement showing it to be an official county survey or resurvey. The official records, other plats, and field notes of the county surveyor's office shall be deemed and considered public records. The county surveyor

1 shall ensure that the residential address of any owner is kept
2 confidential unless a request is made in writing to the county surveyor
3 to provide such information. Any agent or authority of the United States,
4 the State Surveyor or any deputy state surveyor of Nebraska, or any
5 surveyor registered pursuant to the Land Surveyors Regulation Act shall
6 at all times, within reasonable office or business hours, have free
7 access to the surveys, field notes, maps, charts, records, and other
8 papers as provided for in sections 23-1901 to 23-1913. In all counties,
9 where no regular office is maintained in the county courthouse for the
10 county surveyor of that county, the county clerk shall be custodian of
11 the official record of surveys and all other permanent records pertaining
12 to the office of county surveyor.

13 Sec. 6. Original sections 23-348.01, 23-1503, 23-1513, and
14 23-1517.02, Reissue Revised Statutes of Nebraska, and section 23-1911,
15 Revised Statutes Cumulative Supplement, 2018, are repealed.

16 Sec. 7. The following section is outright repealed: Section
17 23-3211, Revised Statutes Cumulative Supplement, 2018.