

ONE HUNDRED FOURTH LEGISLATURE - FIRST SESSION - 2015
COMMITTEE STATEMENT
LB304

Hearing Date: Tuesday February 03, 2015
Committee On: Urban Affairs
Introducer: Hansen
One Liner: Adopt the Municipal Custodianship for Dissolved Homeowners Associations Act

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

Vote Results:
Aye: 7 Senators Coash, Crawford, Ebke, Hansen, Hughes, Krist, McCollister
Nay:
Absent:
Present Not Voting:

Verbal Testimony:

Proponents:

Matt Hansen
Chris Connolly
Lynn Rex

Representing:

District 26
City of Lincoln
League of Nebraska Municipalities

Opponents:

Representing:

Neutral:

Bob Hallstrom
Jack Cheloha

Representing:

Nebraska Bankers Association
City of Omaha

Summary of purpose and/or changes:

LB 304 would adopt the Municipal Custodianship for Dissolved Homeowners Associations Act. The Act provides a mechanism for a municipality to be appointed as custodian over a dissolved homeowners association (HOA), allowing the municipality to take over maintenance of any common areas which had previously been maintained by the HOA. The Act also provides a simple process for a dissolved HOA to apply for and achieve reinstatement.

Explanation of amendments:

AM 286 makes a number of technical changes to the bill:

- Replaces the defined term "city" with the term "municipality"
- Adds a new defined term for "member"
- Provides a \$100 fee for a HOA seeking reinstatement after being dissolved for more than five years
- Limits the applicability of the Act to HOAs located within the corporate limits of a municipality
- Provides that HOA liens under municipal custodianship would be treated in the same manner as HOA liens

