

One Hundred Fourth Legislature - First Session - 2015

Introducer's Statement of Intent

LB195

Chairperson: Senator Les Seiler

Committee: Judiciary

Date of Hearing: March 05, 2015

The following constitutes the reasons for this bill and the purposes which are sought to be accomplished thereby:

LB 195 would require a financial institution that operates more than one office or branch where deposits are received within the state of Nebraska to designate its main-chartered office for the service of a garnishment summons, if its main-chartered office is located in Nebraska. The legislation would require the designation of a main-chartered office for receipt of garnishment summons to be placed on the Nebraska Department of Banking and Finance website. A financial institution designating a main-chartered office for the receipt of a garnishment summons would be required to report any property or credits of the defendant held at any of its locations within the state of Nebraska. If service of summons is not made on the designated office, in its discretion, and without violating any obligation to its customer, the financial institution may elect to treat the service of summons as valid and effective as to any property or credits of the defendant held at any of its locations in the state of Nebraska. In the absence of such an election, the financial institution may file a statement with the interrogatories that the summons and order were not served at the financial institution's designated location for receiving service of summons and order and, therefore, were not processed, and shall provide the address at which the financial institution is to receive service of summons and order.

Principal Introducer: _____

Senator Les Seiler