

ONE HUNDRED FIFTH LEGISLATURE - SECOND SESSION - 2018
COMMITTEE STATEMENT
LB682

Hearing Date: Friday February 23, 2018
Committee On: Government, Military and Veterans Affairs
Introducer: Blood
One Liner: Provide consumer protection and civil relief for servicemembers and provide a duty for the National Guard

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

Vote Results:

Aye:	7	Senators Blood, Brewer, Briese, Hilgers, Lowe, Murante, Thibodeau
Nay:		
Absent:	1	Senator Wayne
Present Not Voting:		

Verbal Testimony:

Proponents:

Senator Carol Blood
Martin Dempsey
Ryan McIntosh
Jennifer Creager

Representing:

Introducer
Department of Defense
National Guard Association of Nebraska
Greater Omaha Chamber

Opponents:

Representing:

Neutral:

William Mueller

Representing:

Nebraska Association of Commercial Property Owners

Summary of purpose and/or changes:

LB 682 enables certain servicemembers to terminate certain contracts due to military orders to relocate.

Section 1 defines which servicemembers the bill applies to.

Section 2 is the first substantive provision. It enables covered servicemembers to terminate certain contracts after the servicemember receives military relocation orders. The relocation must be for at least 90 days and be in a location that is not included or covered under the contract. The servicemember may terminate at any time after receiving the relocation orders. Termination must be made by written or electronic notification with a copy of the relocation orders.

The service provider or lessor is barred from charging the servicemember an early termination charge or retaliating against the servicemember via an additional cost in this instance or in a future contract or interaction.

The servicemember remains liable for any tax or obligation that was due but unpaid at the time of termination.

The service provider or lessor has 60 days to refund the servicemember any fee or charge that was paid for services or rental that extended past the termination of the contract.

This right of early termination applies to the following contracts:

- Telecommunication services
- Internet services
- Television services
- Athletic club or gym memberships
- Satellite radio services
- A residential lease, if the servicemember is required to move into government owned or leased housing

Section 3 provides a cause of action for the provisions of section 2.

Section 4 requires the Nebraska National Guard to provide its members with a list of their rights under sections 2 and 3 and the federal Servicemembers Civil Relief Act.

Explanation of amendments:

AM 2321 has two provisions.

First, it clarifies that the bill does not apply to a lease of residential rental property in which a spouse of a servicemember is still a tenant.

Second, it establishes that termination of a rental contract pursuant to the bill is effective 30 days after the next rental payment is due.

John Murante, Chairperson