

One Hundred Seventh Legislature - Second Session - 2022

Introducer's Statement of Intent

LB907

Chairperson: Senator Steve Lathrop

Committee: Judiciary

Date of Hearing: February 23, 2022

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

Community property acquired by spouses in a community-property state retains that status even if the spouses eventually move to Nebraska, a non-community-property state. LB 907 (the Uniform Community Property Disposition at Death Act) provides guidance to Nebraska trustees, judges, and estate administrators on how to deal with the distribution of community property at death.

The Act provides a set of default rules to ensure the equitable distribution of community property when the first spouse dies. It assists courts in determining the character of property when there is a dispute between potential heirs. The act also clarifies the process for partitioning or reclassifying community property for couples who mutually agree to separate their interests and provides a remedy to address bad-faith transfers intended to impair the property rights of one spouse.

Principal Introducer: _____

Senator Wendy DeBoer