

LEGISLATIVE BILL 128

Approved by the Governor March 8, 1991

Introduced by Ashford, 6

AN ACT relating to sanitary and improvement districts; to amend section 31-727.03, Reissue Revised Statutes of Nebraska, 1943; to provide a late filing fee for an annual statement; to change requirements for the statement; and to repeal the original section.

Be it enacted by the people of the State of Nebraska,

Section 1. That section 31-727.03, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

31-727.03. On or before December 31 of each year the clerk of each sanitary and improvement district shall file with the register of deeds or, if none, the county clerk of the county or counties in which the sanitary and improvement district is located a statement updated each December 31 containing the following information: (1) The names of the members of the current board of trustees of the district; (2) the names of the current attorney, accountant, and fiscal agent of the district; (3) the warrant and the bond principal indebtedness of the district as of the preceding ~~June~~ September 30; and (4) the current tax levy of the district. For any late filing of the statement, the sanitary and improvement district shall be assessed a late fee of ten dollars per day, not to exceed a total of three hundred dollars for each late filing.

The real estate broker or ~~salesman~~ salesperson or, if none, the owner, shall distribute the most recent statement filed in accordance with this section to any prospective purchaser of any real estate located within a sanitary and improvement district. The statement shall be distributed on or before the date on which the purchaser becomes obligated to purchase such real estate. The exclusive remedy for failure to provide such statements shall be an action for damages, and any such failure shall not affect title to the real estate or the validity of the conveyance.

Sec. 2. That original section 31-727.03, Reissue Revised Statutes of Nebraska, 1943, is repealed.