

LEGISLATURE OF NEBRASKA
ONE HUNDRED EIGHTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 845

Introduced by Hunt, 8.

Read first time January 03, 2024

Committee: Judiciary

- 1 A BILL FOR AN ACT relating to the Uniform Residential Landlord and Tenant
- 2 Act; to amend section 76-1401, Revised Statutes Cumulative
- 3 Supplement, 2022; to prohibit evictions of certain tenants during
- 4 the school year; to define terms; to harmonize provisions; and to
- 5 repeal the original section.
- 6 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 76-1401, Revised Statutes Cumulative Supplement,
2 2022, is amended to read:

3 76-1401 Sections 76-1401 to 76-1449 and section 2 of this act shall
4 be known and may be cited as the Uniform Residential Landlord and Tenant
5 Act.

6 Sec. 2. (1) For purposes of this section:

7 (a) Child means any person who is under eighteen years of age or is
8 currently enrolled in school or child care;

9 (b) Child care means child care, an early childhood education and
10 assistance program, or a head start program;

11 (c) School means a public, private, denominational, or parochial
12 school which meets the requirements for accreditation or approval
13 prescribed in Chapter 79;

14 (d) School employee means anyone who works for a school or school
15 district and includes, but is not limited to, a teacher, a substitute
16 teacher, classroom support staff, administrative staff, a
17 paraprofessional, a counselor, a maintenance worker, a cafeteria worker,
18 a custodian, a social worker, or a school nurse; and

19 (e) School year means the period from and including the first day of
20 the academic year to the last day of the academic year:

21 (i) For the school that employs the school employee;

22 (ii) For the school in which the child is enrolled as a student; or

23 (iii) For a child in child care, for the school district in which
24 the dwelling unit is located.

25 (2) Except as provided in subsection (3) of this section, a tenant
26 shall not be evicted if:

27 (a) The eviction would result in the tenant having to vacate the
28 dwelling unit during the school year; and

29 (b) The tenant is any of the following:

30 (i) A child;

31 (ii) A person having legal custody of a child, including, but not

1 limited to, the child's parent, step-parent, adoptive parent, guardian,
2 foster parent, or custodian; or

3 (iii) A school employee.

4 (3) The prohibition in subsection (2) of this section does not apply
5 if the action for possession or eviction is sought pursuant to subsection
6 (4) of section 76-1431.

7 Sec. 3. Original section 76-1401, Revised Statutes Cumulative
8 Supplement, 2022, is repealed.