

One Hundred Eighth Legislature - Second Session - 2024

Introducer's Statement of Intent

LB1395

Chairperson: Senator Julie Slama

Committee: Banking, Commerce and Insurance

Date of Hearing: February 05, 2024

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

LB 1395 is the Natural Asset Company Prohibition Act. The bill prohibits the State from selling land or land rights to a Natural Asset Company (NAC) or doing any business that grants NACs rights to land. State funds going to any NACs would be prohibited.

Easements and other encumbrances are prohibited from being created for the benefit of a NAC. If ownership of land or land rights goes to a NAC, the land reverts to the State of Nebraska and any easement or other encumbrance in violation of the act is null and void.

The Governor, Attorney General, Legislature, municipalities, and private citizens who are adversely affected by any violation of the act, may file action in court to revert ownership of the land back to the State of Nebraska and any easement or other encumbrance in violation of the act become null and void.

NACS are not permitted to operate in Nebraska and any contact with a natural asset company entered into by the State, political subdivision, or entity in violation of the act shall be null and void and unenforceable.

The Secretary of State is prohibited from accepting filings for authority to conduct business with any NAC, convert any existing company into a NAC, or issue a certificate of authority to a foreign NAC. Any company that violates the act shall lose authorization to do business in the State as long as they continue to do so.

Principal Introducer: _____

Senator Dave Murman