

LEGISLATIVE BILL 300

Approved by the Governor May 09, 2017

Introduced by Krist, 10; McDonnell, 5.

A BILL FOR AN ACT relating to civil procedure; to amend section 25-228, Reissue Revised Statutes of Nebraska; to change the statute of limitations on civil actions for sexual assault of a child; and to repeal the original section.

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

Section 1. Section 25-228, Reissue Revised Statutes of Nebraska, is amended to read:

25-228 (1) Notwithstanding any other provision of law: ~~7~~

(a) There shall not be any time limitation for an action against the individual or individuals directly causing actions for an injury or injuries suffered by a plaintiff when the plaintiff was a victim of a violation of section 28-319.01 or 28-320.01 if such violation occurred (i) on or after the effective date of this act or (ii) prior to the effective date of this act if such action was not previously time barred; and

(b) An action against any person or entity other than the individual directly causing an injury or injuries suffered by a plaintiff when the plaintiff was a victim of a violation of section 28-319.01 or 28-320.01 may ~~can~~ only be brought within twelve years after the plaintiff's twenty-first birthday.

(2) Criminal prosecution of a defendant under section 28-319.01 or 28-320.01 is not required to maintain a civil action for violation of such sections.

Sec. 2. Original section 25-228, Reissue Revised Statutes of Nebraska, is repealed.