

LEGISLATURE OF NEBRASKA
ONE HUNDRED EIGHTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 174

Introduced by Dungan, 26; Conrad, 46; DeBoer, 10; Wishart, 27.

Read first time January 09, 2023

Committee:

- 1 A BILL FOR AN ACT relating to civil procedure; to amend section 25-228,
- 2 Revised Statutes Cumulative Supplement, 2022; to change the statute
- 3 of limitations on certain civil actions for sexual assault of a
- 4 child; and to repeal the original section.
- 5 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 25-228, Revised Statutes Cumulative Supplement,
2 2022, is amended to read:

3 25-228 (1) Except as otherwise provided in the State Tort Claims Act
4 and the Political Subdivisions Tort Claims Act, there shall not be any
5 time limitation for an action against ~~Notwithstanding any other provision~~
6 ~~of law:~~

7 (a) ~~The~~ ~~There shall not be any time limitation for an action against~~
8 ~~the~~ individual or individuals directly causing an injury or injuries
9 suffered by a plaintiff when the plaintiff was a victim of a violation of
10 section 28-319.01 or 28-320.01 if such violation occurred (i) on or after
11 August 24, 2017, or (ii) prior to August 24, 2017, if such action was not
12 previously time barred; or and

13 (b) ~~Any~~ ~~An action against any person or entity other than the~~
14 individual directly causing an injury or injuries suffered by a plaintiff
15 when the plaintiff was a victim of a violation of section 28-319.01 or
16 28-320.01 if such violation occurred (i) on or after the effective date
17 of this act or (ii) prior to the effective date of this act, if such
18 action was not previously time barred ~~may only be brought within twelve~~
19 ~~years after the plaintiff's twenty-first birthday.~~

20 (2) Criminal prosecution of a defendant under section 28-319.01 or
21 28-320.01 is not required to maintain a civil action for violation of
22 such sections.

23 Sec. 2. Original section 25-228, Revised Statutes Cumulative
24 Supplement, 2022, is repealed.