LEGISLATURE OF NEBRASKA

ONE HUNDRED SEVENTH LEGISLATURE

FIRST SESSION

LEGISLATIVE BILL 259

Introduced by Halloran, 33; Bostelman, 23; Brewer, 43; Clements, 2; Erdman, 47; Gragert, 40; Hansen, B., 16; Lowe, 37; McDonnell, 5.

Read first time January 11, 2021

Committee:

1 A BILL FOR AN ACT relating to civil procedure; to authorize a civil

2   action for damages for certain public safety officers as prescribed;

3   and to provide a duty for the Revisor of Statutes.

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

1   Section 1. (1)(a) A public safety officer may bring a civil action

2 against any person, group of persons, organization, corporation, or the

3 head of an organization or corporation for:

4   (i) Injury suffered during the officer's performance of official

5 duties;

6   (ii) Abridgment of the officer's civil rights arising out of the

7 officer's performance of official duties; or

8   (iii) The filing of a complaint against the officer, relating to the

9 officer's performance of official duties, which the person filing knew

10 was false when filed.

11   (b) Damages recoverable under this subsection include economic and

12 noneconomic damages.

13   (2) For purposes of this section, public safety officer includes any

14 of the following persons: A peace officer; a probation officer; a

15 firefighter; an emergency care provider as defined in section 28-929.01;

16 an employee of a county, city, or village jail; an employee of the

17 Department of Correctional Services; an employee of the secure youth

18 confinement facility operated by the Department of Correctional Services;

19 an employee of a youth rehabilitation and treatment center; or an

20 employee of the Department of Health and Human Services whose official

21 duties involve dangerous sex offenders committed under the Sex Offender

22 Commitment Act.

23   Sec. 2. The Revisor of Statutes shall assign section 1 of this act

24 to Chapter 25, article 21.