

LEGISLATURE OF NEBRASKA
ONE HUNDRED SEVENTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 833

Introduced by Pahls, 31.

Read first time January 06, 2022

Committee: Judiciary

- 1 A BILL FOR AN ACT relating to civil procedure; to amend section 25-228,
- 2 Revised Statutes Cumulative Supplement, 2020; 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 2020, is amended to read:

3 25-228 (1) Notwithstanding any other provision of law:

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

10 (b) Except as otherwise provided in subsection (2) of this section,
11 an ~~An~~ action against any person or entity other than the individual
12 directly causing an injury or injuries suffered by a plaintiff when the
13 plaintiff was a victim of a violation of section 28-319.01 or 28-320.01
14 may only be brought within twelve years after the plaintiff's twenty-
15 first birthday.

16 (2)(a) There shall not be any time limitation for an action against
17 any person or entity other than the individual directly causing an injury
18 or injuries suffered by a plaintiff when the plaintiff was a victim of a
19 violation of section 28-319.01 or 28-320.01 if (i) such violation
20 occurred prior to the effective date of this act and (ii) such action was
21 not previously time barred.

22 (b) This subsection does not extend the statute of limitations
23 applicable to a claim subject to the State Tort Claims Act or the
24 Political Subdivisions Tort Claims Act.

25 (3) {2} Criminal prosecution of a defendant under section 28-319.01
26 or 28-320.01 is not required to maintain a civil action for violation of
27 such sections.

28 Sec. 2. Original section 25-228, Revised Statutes Cumulative
29 Supplement, 2020, is repealed.