

LEGISLATURE OF NEBRASKA
ONE HUNDRED EIGHTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 139

FINAL READING

Introduced by Brandt, 32.

Read first time January 06, 2023

Committee: Judiciary

1 A BILL FOR AN ACT relating to Small Claims Court; to amend section
2 25-2802, Reissue Revised Statutes of Nebraska; to change and
3 eliminate provisions relating to the jurisdictional amount; to
4 provide an operative date; to repeal the original section; and to
5 declare an emergency.

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

1 Section 1. Section 25-2802, Reissue Revised Statutes of Nebraska, is
2 amended to read:

3 25-2802 (1) The Small Claims Court shall have subject matter
4 jurisdiction in all civil actions of any type when the amount of money or
5 damages or the value of the personal property claimed does not exceed the
6 jurisdictional amount specified in subsection (4) of this section,
7 exclusive of interest and costs.

8 (2) The Small Claims Court shall have subject matter jurisdiction in
9 civil matters when the plaintiff seeks to disaffirm, avoid, or rescind a
10 contract or agreement for the purchase of goods or services not in excess
11 of the jurisdictional amount specified in subsection (4) of this section,
12 exclusive of interest and costs.

13 (3) The Small Claims Court shall have jurisdiction when the party
14 defendant or his or her agent resides or is doing business within the
15 county or when the cause of action arose within the county.

16 (4) The jurisdictional amount is six ~~three thousand five hundred~~
17 ~~dollars from July 1, 2024 2010, through June 30, 2025 2015.~~ The
18 jurisdictional amount is seven thousand five hundred dollars beginning
19 July 1, 2025.

20 ~~The Supreme Court shall continue to adjust the jurisdictional limit~~
21 ~~for the Small Claims Court every fifth year commencing July 1, 2015. The~~
22 ~~adjusted jurisdictional amount shall be equal to the then current~~
23 ~~jurisdictional amount adjusted by the average percentage change in the~~
24 ~~unadjusted Consumer Price Index for All Urban Consumers published by the~~
25 ~~Federal Bureau of Labor Statistics for the five-year period preceding the~~
26 ~~adjustment date. The jurisdictional amount shall be rounded to the~~
27 ~~nearest one-hundred-dollar amount.~~

28 Sec. 2. This act becomes operative on July 1, 2024.

29 Sec. 3. Original section 25-2802, Reissue Revised Statutes of
30 Nebraska, is repealed.

31 Sec. 4. Since an emergency exists, this act takes effect when

1 passed and approved according to law.