

LEGISLATIVE BILL 227

Approved by the Governor March 9, 1975

Introduced by Kelly, 35

AN ACT to amend section 48-111, Reissue Revised Statutes of Nebraska, 1943, relating to workmen's compensation; to extend an exemption from liability; and to repeal the original section. Be it enacted by the people of the State of Nebraska,

Section 1. That section 48-111, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

48-111. Such agreement or the election provided for in section 48-112 shall be a surrender by the parties thereto of their rights to any other method, form or amount of compensation or determination thereof than as provided in sections 48-109 to 48-147, and an acceptance of all the provisions of said sections, and shall bind the employee himself, and for compensation for his death shall bind his legal representatives, his widow and next of kin, as well as the employer, and the legal representatives of a deceased employer, and those conducting the business of the employer during bankruptcy or insolvency. For the purpose of this section, if the employer carries a policy of workmen's compensation insurance, the term employer shall also include the insurer. The exemption from liability given an employer and insurer by this section shall also extend to all employees, officers, or directors of such employer or insurer, but such exemption given an employee, officer, or director of an employer or insurer shall not apply in any case when the injury or death is proximately caused by the willful and unprovoked physical aggression of such employee, officer, or director.

Sec. 2. That original section 48-111, Reissue Revised Statutes of Nebraska, 1943, is repealed.