

AMENDMENTS TO LB245

Introduced by Judiciary.

1           1. Insert the following new section:

2           Section 1. Section 29-2103, Reissue Revised Statutes of Nebraska, is  
3 amended to read:

4           29-2103 (1) A motion for new trial shall be made by written  
5 application and may be filed either during or after the term of the court  
6 at which the verdict was rendered.

7           (2) A motion for a new trial shall state the grounds under section  
8 29-2101 which are the basis for the motion and shall be supported by  
9 evidence as provided in section 29-2102.

10          (3) A motion for new trial based on the grounds set forth in  
11 subdivision (1), (2), (3), (4), or (7) of section 29-2101 shall be filed  
12 within ten days after the verdict was rendered unless such filing is  
13 unavoidably prevented, and the grounds for such motion may be stated by  
14 directly incorporating the appropriate language of section 29-2101  
15 without further particularity.

16          (4) A motion for new trial based on the grounds set forth in  
17 subdivision (5) of section 29-2101 shall be filed within a reasonable  
18 time after the discovery of the new evidence ~~and cannot be filed more~~  
19 ~~than three years after the date of the verdict.~~

20          (5) A motion for new trial based on the grounds set forth in  
21 subdivision (6) of section 29-2101 shall be filed within ninety days  
22 after a final order is issued under section 29-4123 or within ninety days  
23 after the hearing if no final order is entered, whichever occurs first.

24          2. Renumber the remaining sections and correct the repealer  
25 accordingly.