

LEGISLATURE OF NEBRASKA
NINETY-SIXTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 1013

Introduced by Brashear, 4

Read first time January 6, 2000

Committee: Judiciary

A BILL

1 FOR AN ACT relating to civil procedure; to amend section 25-208,
2 Reissue Revised Statutes of Nebraska; to change the
3 limitations period for certain actions; and to repeal the
4 original section.
5 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 25-208, Reissue Revised Statutes of
2 Nebraska, is amended to read:

3 25-208. The following actions can only be brought within
4 the periods stated in this section: Within one year, an action for
5 libel, or slander; ~~7 assault and battery, false imprisonment, or~~
6 ~~malicious prosecution or an action upon a statute for a penalty or~~
7 ~~forfeiture, but if the statute giving such action prescribes a~~
8 ~~different limitation, the action may be brought within the period~~
9 ~~so limited,~~ and within two years, an action for malpractice which
10 is not otherwise specifically limited by statute.

11 In the absence of any other shorter applicable statute of
12 limitations, any action for the recovery of any excise or other tax
13 which has been collected under any statute of the State of Nebraska
14 and which has been finally adjudged to be unconstitutional shall be
15 brought within one year after the final decision of the court
16 declaring it to be unconstitutional. This section shall not apply
17 to any action for the recovery of a property tax.

18 Sec. 2. Original section 25-208, Reissue Revised
19 Statutes of Nebraska, is repealed.