

ONE HUNDRED NINTH LEGISLATURE - FIRST SESSION - 2025
COMMITTEE STATEMENT
LB482

Hearing Date: Tuesday February 11, 2025
Committee On: Banking, Commerce and Insurance
Introducer: Ballard
One Liner: Change provisions relating to attorney's fees in insurance cases

Roll Call Vote - Final Committee Action:
Advanced to General File with amendment(s)

Vote Results:
Aye: 5 Senators Hallstrom, Hardin, Jacobson, Riepe, Wordekemper
Nay:
Absent:
Present Not Voting: 3 Senators Bostar, Dungan, von Gillern

Testimony:

Proponents:

Senator Beau Ballard
Robert Bell
Mike Hannon
Mark Gokie
Korby Gilbertson

Representing:

Opening Presenter
Nebraska Insurance Federation
Nebraska Defense Counsel Association
Farmers Mutual Insurance
American Property Casualty Insurance Federation

Opponents:

James Eggers
Jacqueline Bouc
Marcia Merchen
Patrick Muhs
Theodore Boecker

Representing:

Millard Roofing
Self
Self
Moose Roofing
Self

Neutral:

Representing:

* ADA Accommodation Written Testimony

Summary of purpose and/or changes:

LB 482 amends Neb. Rev. Stat. § 44-359, a law that allows plaintiffs to collect reasonable attorney's fees in successful actions they bring upon any type of insurance policy, except workers' compensation insurance, or upon any certificate issued by a fraternal benefit society, against any company, person, or association doing business in Nebraska. The bill would exclude a plaintiff's ability to collect reasonable attorney's fees in actions based on a post-loss assignment of rights or benefits arising out of a claim by a property owner for damage to insured property.

Explanation of amendments:



AM 243 removes language from new subsection (2) of 44-359 to clarify that the subsection applies to any action based on a post-loss assignment arising out of a claim by a property owner for damage to insured property, not just actions based on the post-loss assignment of rights or benefits arising out of the claim.

Mike Jacobson, Chairperson

