

## LEGISLATIVE BILL 430

Approved by the Governor March 23, 1971

Introduced by Fred W. Carstens, 30th District

AN ACT relating to civil procedure; to provide for trial of actions in which the statute of limitations is claimed as a defense.  
Be it enacted by the people of the State of Nebraska,

Section 1. In any action in which it is claimed by one or more of the defendants that the action is barred by the statute of limitations any party may move that the issue raised thereby be tried separately and before any other issues in the case are tried and in such event the court shall proceed to determine the issue relating to the statute of limitations before trying other issues in the case. If the issue raised by the statute of limitations is finally determined in favor of the plaintiff the remaining issues shall then be tried. If the issue raised by the statute of limitations is finally determined in favor of the defendant the action or actions barred by the statute of limitations shall be dismissed.