

LEGISLATURE OF NEBRASKA
ONE HUNDRED NINTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 1228

Introduced by Holdcroft, 36; at the request of the Governor.

Read first time January 21, 2026

Committee: Judiciary

- 1 A BILL FOR AN ACT relating to courts; to amend section 29-2709, Reissue
- 2 Revised Statutes of Nebraska; to provide for a state docket fee; to
- 3 create funds; to harmonize provisions; and to repeal the original
- 4 section.
- 5 Be it enacted by the people of the State of Nebraska,

1 **Section 1.** (1) In addition to all other court costs assessed
2 according to law, a state docket fee shall be taxed as costs in each
3 civil cause of action or traffic misdemeanor or infraction filed in the
4 Supreme Court and the district courts, the county courts, and the
5 separate juvenile courts in the following dollar amounts:

<u>Case Category</u>	<u>State Docket Fee</u>
<u>Civil cause of action (district court or Supreme Court)</u>	<u>116.00</u>
<u>Civil cause of action (county court or separate juvenile</u> <u>court)</u>	<u>70.00</u>
<u>Dissolution</u>	<u>111.00</u>
<u>Traffic misdemeanor or infraction</u>	<u>61.00</u>
<u>Small claims</u>	<u>38.00</u>

13 (2) The fee shall be remitted to the State Treasurer on forms
14 prescribed by the State Treasurer within ten days after the end of the
15 month. The State Treasurer shall credit ten dollars of such fee to the
16 JUSTICE Software Cash Fund and the remainder to the Supreme Court
17 Operations Cash Fund.

18 (3) A county, city, or village shall not be required to pay any
19 state docket fee that has been deemed uncollectible for any reason.

20 **Sec. 2.** (1) The Supreme Court Operations Cash Fund is created. The
21 State Court Administrator shall administer the fund. The fund shall
22 consist of money remitted pursuant to section 1 of this act. Permissible
23 expenditures from the fund include, but are not limited to, supplementing
24 any state funds necessary to support the administrative operations of the
25 Supreme Court, Court of Appeals, district courts, separate juvenile
26 courts, county courts, and Nebraska Probation System.

27 (2) Any money in the fund available for investment shall be invested
28 by the state investment officer pursuant to the Nebraska Capital
29 Expansion Act and the Nebraska State Funds Investment Act.

30 **Sec. 3.** (1) The JUSTICE Software Cash Fund is created. The State
31 Court Administrator shall administer the fund. The fund shall consist of

1 money remitted pursuant to section 1 of this act. The Supreme Court may
2 use the fund to aid in defraying the costs of purchasing, implementing,
3 and maintaining software.

4 (2) Any money in the fund available for investment shall be invested
5 by the state investment officer pursuant to the Nebraska Capital
6 Expansion Act and the Nebraska State Funds Investment Act.

7 **Sec. 4.** Section 29-2709, Reissue Revised Statutes of Nebraska, is
8 amended to read:

9 29-2709 When any costs in misdemeanor, traffic, felony preliminary,
10 or juvenile cases in county court, except for those costs provided for in
11 subsection (3) of section 24-703, two dollars of the fee provided in
12 section 33-107.01, the court automation fee provided in section
13 33-107.03, ~~and~~ the uniform data analysis fee provided in section 47-633,
14 and the state docket fee provided in section 1 of this act, are found by
15 a county judge to be uncollectible for any reason, including the
16 dismissal of the case, such costs shall be deemed waived unless the
17 judge, in his or her discretion, enters an order assessing such portion
18 of the costs as by law would be paid over by the court to the State
19 Treasurer as follows:

20 (1) In all cases brought by or with the consent of the county
21 attorney, all such uncollectible costs shall be certified by the clerk of
22 the court to the county clerk who shall present the bills therefor to the
23 county board. The county board shall pay from the county general fund all
24 such bills found by the board to be lawful; and

25 (2) In all cases brought under city or village ordinance, all such
26 uncollectible costs shall be certified to the appropriate city or village
27 officer authorized to receive claims who shall present the bills therefor
28 to the governing body of the city or village in the same manner as other
29 claims. Such governing body shall pay from the general fund of the city
30 or village all such bills as are found to be lawful.

31 **Sec. 5.** Original section 29-2709, Reissue Revised Statutes of

1 Nebraska, is repealed.