



Hundredth Legislature - Second Session - 2008
Introducer's Statement of Intent
LB 821

Chairperson: Abbie Cornett
Committee: Business and Labor
Date of Hearing: January 28, 2008

The following constitutes the reasons for this bill and the purposes which are sought to be accomplished thereby:

This legislation is introduced at the request of the Department of Administrative Services.

LB 821:

1. Provides a statutory definition of Risk Manager within the Tort Claims Act.
2. Authorizes the Risk Manager to approve Tort Claims under \$5,000 to allow a claimant to recover his or her award on a more timely basis and provides a dissatisfied claimant the opportunity for review by the State Claims Board. The threshold requiring unanimous approval by the Claims Board would increase from \$5,000 to \$10,000.
3. Authorizes the Attorney General to serve as the legal advisor to the Risk Manager in addition to serving the Claims Board for tort claims.
4. Authorizes the Risk Manager to award attorney fees when approving tort claims.
5. Increases the Risk Manager's authority to approve Miscellaneous Claims from \$2,000 to \$5,000 and authorizes the Risk Manager to deny Miscellaneous Claims. Any claimant dissatisfied with the Risk Manager's decision may seek review by the Claims Board. The bill also changes the Legislative review threshold for Miscellaneous Claims by increasing the dollar amount from \$10,000 to \$50,000.
6. Provides a one-year appeal deadline for filing suit under the Contract Claims Act calculated from the time the claimant or the agency objects to the Claims Board's jurisdiction.

Principal Introducer:

Abbie Cornett, Chairperson
Committee on Business and Labor