

ONE HUNDRED FIRST LEGISLATURE - FIRST SESSION - 2009
COMMITTEE STATEMENT
LB374

Hearing Date: Friday February 27, 2009
Committee On: Judiciary
Introducer: Lautenbaugh
One Liner: Authorize recovery of costs as part of the settlement of a civil action

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

Vote Results:

Aye: 8 Senators Ashford, Christensen, Coash, Council, Lathrop, Lautenbaugh, McGill, Rogert

Nay:

Absent:

Present Not Voting:

Proponents:

Sen. Scott Lautenbaugh
John McGuthery
William Mueller

Representing:

Introducer
Credit Management Services Inc.
NE Collectors Association

Opponents:

Theodore (Tad) Fraizer

Representing:

American Insurance Association

Neutral:

Justin Brady

Representing:

NE Reactors Assoc./ PCIAA

Summary of purpose and/or changes:

Legislative Bill 374 would amend Sec. 25-1708 to allow a civil court defendant to settle a suit and pay the plaintiff's court costs without requiring the entry of a judgment against the defendant. Furthermore, the bill would require the court to enter a judgment against the defendant for the plaintiff's court costs in the instance that the principal amount sued upon is voluntarily paid by the defendant after the filing of suit.

Explanation of amendments:

Committee Amendment AM 925 would allow the plaintiff to waive an award of court costs following a voluntary payment to the plaintiff by or on behalf of the defendant before a judgment is entered.

Brad Ashford, Chairperson