

LEGISLATURE OF NEBRASKA

ONE HUNDRED FIRST LEGISLATURE

SECOND SESSION

LEGISLATIVE BILL 695

FINAL READING

Introduced by Price, 3.

Read first time January 06, 2010

Committee: Judiciary

A BILL

1 FOR AN ACT relating to Small Claims Court; to amend section
2 25-2802, Reissue Revised Statutes of Nebraska; to change
3 the jurisdictional amount; to provide an operative date;
4 to repeal the original section; and to declare an
5 emergency.

6 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 25-2802, Reissue Revised Statutes of
2 Nebraska, is amended to read:

3 25-2802 (1) The Small Claims Court shall have subject
4 matter jurisdiction in all civil actions of any type when the
5 amount of money or damages or the value of the personal property
6 claimed does not exceed the jurisdictional amount specified in
7 subsection (4) of this section, exclusive of interest and costs.

8 (2) The Small Claims Court shall have subject matter
9 jurisdiction in civil matters when the plaintiff seeks to
10 disaffirm, avoid, or rescind a contract or agreement for the
11 purchase of goods or services not in excess of the jurisdictional
12 amount specified in subsection (4) of this section, exclusive of
13 interest and costs.

14 (3) The Small Claims Court shall have jurisdiction when
15 the party defendant or his or her agent resides or is doing
16 business within the county or when the cause of action arose within
17 the county.

18 (4) The jurisdictional amount ~~was one thousand five~~
19 ~~hundred dollars through June 30, 1990, one thousand eight hundred~~
20 ~~dollars from July 1, 1990, through June 30, 1995, and two thousand~~
21 ~~one hundred dollars from July 1, 1995, through June 30, 2000. The~~
22 ~~jurisdictional amount is two thousand four hundred dollars from~~
23 ~~July 1, 2000, through June 30, 2005.~~ is three thousand five hundred
24 dollars from July 1, 2010, through June 30, 2015.

25 The Supreme Court shall continue to adjust the

1 jurisdictional limit for the Small Claims Court every fifth year
2 commencing July 1, ~~2000-~~ 2015. The adjusted jurisdictional amount
3 shall be equal to the then current jurisdictional amount adjusted
4 by the average percentage change in the unadjusted Consumer Price
5 Index for All Urban Consumers published by the Federal Bureau of
6 Labor Statistics for the five-year period preceding the adjustment
7 date. The jurisdictional amount shall be rounded to the nearest
8 one-hundred-dollar amount.

9 Sec. 2. This act becomes operative on July 1, 2010.

10 Sec. 3. Original section 25-2802, Reissue Revised
11 Statutes of Nebraska, is repealed.

12 Sec. 4. Since an emergency exists, this act takes effect
13 when passed and approved according to law.