

LEGISLATURE OF NEBRASKA

ONE HUNDRED FIRST LEGISLATURE

SECOND SESSION

**LEGISLATIVE BILL 1044**

Introduced by Lautenbaugh, 18.

Read first time January 21, 2010

Committee: Business and Labor

A BILL

1 FOR AN ACT relating to the Nebraska Workers' Compensation Act;  
2 to amend section 48-101, Reissue Revised Statutes of  
3 Nebraska; to change employer liability provisions; and to  
4 repeal the original section.  
5 Be it enacted by the people of the State of Nebraska,

1           Section 1. Section 48-101, Reissue Revised Statutes of  
2 Nebraska, is amended to read:

3           48-101 When personal injury is caused to an employee by  
4 accident or occupational disease, arising out of and in the course  
5 of his or her employment and the accident or occupational disease  
6 was the prevailing factor of such personal injury, such employee  
7 shall receive compensation therefor from his or her employer if the  
8 employee was not willfully negligent at the time of receiving such  
9 injury. For purposes of this section, prevailing factor means the  
10 primary factor, in relation to any other factor, causing both the  
11 personal injury and the resulting disability.

12           Sec. 2. Original section 48-101, Reissue Revised Statutes  
13 of Nebraska, is repealed.