

LEGISLATURE OF NEBRASKA  
ONE HUNDRED THIRD LEGISLATURE  
FIRST SESSION  
**LEGISLATIVE BILL 89**

Introduced by Haar, 21.

Read first time January 10, 2013

Committee: Judiciary

A BILL

1 FOR AN ACT relating to weather emergencies; to amend section  
2 81-829.66, Reissue Revised Statutes of Nebraska; to  
3 provide immunity from liability for providing shelter as  
4 prescribed; and to repeal the original section.  
5 Be it enacted by the people of the State of Nebraska,

1                   Section 1. Section 81-829.66, Reissue Revised Statutes of  
2 Nebraska, is amended to read:

3                   81-829.66 (1) Any person owning or controlling real  
4 estate or other premises who voluntarily and without compensation  
5 grants a license or privilege, or otherwise permits the designation  
6 or use of the whole or any part or parts of such real estate or  
7 premises for the purpose of sheltering persons during an actual,  
8 impending, mock, or practice attack or disaster shall, together with  
9 his or her successors in interest, if any, not be civilly liable for  
10 negligently causing the death of, or injury to, any person on or  
11 about such real estate or premises, or loss of, or damage to, the  
12 property of such person, at any time such real estate or premises are  
13 actually used for such purpose.

14                   (2) Any person using reasonable care to provide and  
15 maintain a shelter or safe room for the purpose of providing shelter  
16 to the public during a weather event declared to be a tornado  
17 warning, tornado watch, or severe thunderstorm warning by the  
18 National Weather Service of the National Oceanic and Atmospheric  
19 Administration of the United States Department of Commerce shall be  
20 held harmless from any and all claims for damages, costs, and  
21 expenses, including attorney's fees, arising from or related to  
22 providing the shelter or safe room. No cause of action shall lie  
23 against any such person using reasonable care to provide and maintain  
24 a shelter or safe room during such a weather event.

25                   Sec. 2. Original section 81-829.66, Reissue Revised

1 Statutes of Nebraska, is repealed.