

**ONE HUNDRED FIFTH LEGISLATURE - SECOND SESSION - 2018**  
**COMMITTEE STATEMENT**  
**LB710**

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**Hearing Date:** Friday January 19, 2018  
**Committee On:** Judiciary  
**Introducer:** Baker  
**One Liner:** Change provisions relating to civil claims of four thousand dollars or less

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

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**Vote Results:**

<b>Aye:</b>	6	Senators Baker, Ebke, Halloran, Krist, Morfeld, Pansing Brooks
<b>Nay:</b>		
<b>Absent:</b>	1	Senator Chambers
<b>Present Not Voting:</b>	1	Senator Hansen

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**Verbal Testimony:**

**Proponents:**

Senator Roy Baker  
Josh Dickenson  
Tessa Stevens  
J. Patrick McArdle  
Steve Laws

**Representing:**

Introducer  
Nebraska Collectors Association  
Nebraska Collectors Association  
self  
Nebraska Collectors Association

**Opponents:**

Emily Bottorf  
William Reinbrecht

**Representing:**

Nebraska Defense Counsel Association  
self

**Neutral:**

**Representing:**

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**Summary of purpose and/or changes:**

LB 710 would allow a successful plaintiff in any case involving an amount of four thousand dollars or less to recover costs, interest, and attorney's fees incurred in pursuing the matter. The bill would allow recovery of such attorney's fees and costs regardless of whether the claims pursued by the plaintiff are liquidated or assigned. Such attorney's fees, costs, and interest would be available to a plaintiff if the lawsuit is filed at the expiration of 90 days after the claim has accrued. The bill further establishes that a claim accrues on the date the "services, goods, materials, labor, or money were provided, the date the chargers were incurred by the debtor, the date the injury or damages occurred, or the date of loss, unless some different time period is expressly set forth in a written agreement between the parties."

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**Explanation of amendments:**

AM 1656 exempts from the application of the statute claims alleging personal injury.

AM 1676 strikes language related to the definition of the accrual of the claim and removes language that would run the

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timeline from the date "the charges were incurred by the debtor."

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Laura Ebke, Chairperson