

# **One Hundred Fifth Legislature - First Session - 2017**

## **Introducer's Statement of Intent**

### **LB204**

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**Chairperson: Senator Laura Ebke**

**Committee: Judiciary**

**Date of Hearing: February 15, 2017**

The following constitutes the reasons for this bill and the purposes which are sought to be accomplished thereby:

LB 204 addresses the ways to support an assertion that a fact can or cannot be genuinely disputed in a summary judgment proceeding and addresses questions that arise when a party fails to support an assertion of fact or fails to properly address another party's assertion of fact. LB 204 also requires that when any employee of the State is sued in an individual capacity for an act or omission occurring in connection with duties performed on the State's behalf, both the employee and the State must be served. Both changes are modeled after the Federal Rules of Civil Procedure. LB 204 additionally provides the Supreme Court may consider whether a case involves a question of qualified immunity when determining whether to grant any party's petition to bypass the Court of Appeals.

**Principal Introducer:** \_\_\_\_\_

Senator Mike Hilgers