

One Hundred Seventh Legislature - First Session - 2021

Introducer's Statement of Intent

LB54

Chairperson: Senator Steve Lathrop

Committee: Judiciary

Date of Hearing: February 18, 2021

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

LB54 clarifies an exemption in the Political Subdivisions Tort Claims Act. It allows that any claim arising out of acts as defined in Neb. Rev. Stat. 13-910(7) which results from negligent failure by a political subdivision or an employee of a political subdivision toward those to whom the subdivision owes a duty of care are not exempt.

This bill attempts to address a change in the court's interpretation of the intentional tort exception to the waiver of sovereign immunity found in *Moser v. State of Nebraska*, 307 Neb. 18 (2020).

Principal Introducer: _____

Senator Steve Lathrop