

## LEGISLATIVE BILL 510

Approved by the Governor April 24, 1979

Introduced by Hoagland, 6

AN ACT to amend sections 25-217 and 25-501, Reissue Revised Statutes of Nebraska, 1943, relating to commencement of actions; to provide when an action shall be deemed commenced; to change procedures; and to repeal the original sections.

Be it enacted by the people of the State of Nebraska,

Section 1. That section 25-217, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

25-217. An action shall be deemed commenced, within the meaning of this Chapter, as to the defendant, ~~at the date of the summons which is served upon him; where service by publication is proper the action shall be deemed commenced at the date of the first publication which publication shall be regularly made on the date the petition is filed with the court if proper service is obtained within six months of such filing.~~

Sec. 2. That section 25-501, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

25-501. A civil action must be commenced by filing of a petition in the office of the clerk of a proper court, ~~a petition, and causing a summons to be issued thereon.~~

Sec. 3. For the purpose of determining whether an action has been commenced within the time allowed by statutes for limitation of action, the filing of a petition shall be deemed a commencement of the action if proper service is obtained within six months of such filing.

Sec. 4. That original sections 25-217 and 25-501, Reissue Revised Statutes of Nebraska, 1943, are repealed.