

LEGISLATIVE BILL 77

Approved by the Governor February 13, 1997

Introduced by Brashear, 4

AN ACT relating to divorce; to amend section 42-372, Revised Statutes Supplement, 1996; to change decree appeal provisions; and to repeal the original section.

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

Section 1. Section 42-372, Revised Statutes Supplement, 1996, is amended to read:

42-372. (1) A decree dissolving a marriage becomes final and operative, except for the purpose of review by appeal, at the time specified in section 42-372.01.

(2) For the purpose of review by appeal, the decree shall be treated as a final order as soon as it is rendered. If an appeal is instituted that does not challenge the finding that the marriage is irretrievably broken, then the decree shall become final and operative, as to that portion of the decree that dissolves the marriage, at the time specified in section 42-372.01 as if no such appeal had been instituted. If an appeal is instituted within thirty days after the date the decree is rendered that challenges the finding that the marriage is irretrievably broken, such decree does not become final until such proceedings are finally determined or the date of death of one of the parties to the dissolution, whichever occurs first.

Sec. 2. Original section 42-372, Revised Statutes Supplement, 1996, is repealed.