



Ninety-Ninth Legislature - First Session - 2005  
**Introducer's Statement of Intent**  
**LB 281**

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**Chairperson:** Patrick J. Bourne  
**Committee:** Judiciary  
**Date of Hearing:** February 10, 2005

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

Under the Political Subdivision Tort Claims Act, all claims must first be made, in writing, to the governing body of the political subdivision before a claimant may file a lawsuit. The claimant must make the claim to the governing body within one year of the occurrence or discovery of the alleged tort or the claim is forever barred.

After the claim is filed with the governing body, a political subdivision has six months in which to make final disposition of the claim. If the political subdivision does not make a final disposition within six months, the claimant may withdraw the claim and file a lawsuit. The claimant has two years from the time the claim accrued to file suit. Such two-year limitation may be extended for an additional six months if the statute of limitations expires prior to the time when the claimant withdraws the claim.

LB 281 would extend the time in which a claimant may file a claim from one year to two years. The bill would bring the time frame for filing of claims under the Political Subdivision Tort Claims Act in line with the time frame under the State Tort Claims Act, which is two years. Such a change would minimize confusion that may occur by having two different time limitations for filing claims under two similar acts.

**Principal Introducer:**

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**Senator Abbie Cornett**