

One Hundred Ninth Legislature - First Session - 2025

Introducer's Statement of Intent

LB482

Chairperson: Senator Mike Jacobson

Committee: Banking, Commerce and Insurance

Date of Hearing: February 11, 2025

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

Neb. Rev. Stat. § 44-359 provides for attorney fees and costs to a plaintiff in litigation against an insurance company if the plaintiff wins the action. LB482 amends the statute to provide that the statute would not apply when the plaintiff's right to bring the action is based upon a post-loss assignment of rights or benefits arising out of a property claim.

Post-loss assignments of rights or benefits typically happen after a loss when the consumer assigns the rights or benefits arising out of the claim to a business. If a business then sues the insurance company, the awarding of attorney fees and costs would be a decision of the court.

Principal Introducer: _____

Senator Beau Ballard