

One Hundred Ninth Legislature - First Session - 2025

Introducer's Statement of Intent

LB493

Chairperson: Senator Carolyn Bosn

Committee: Judiciary

Date of Hearing: February 27, 2025

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

LB 493, the Uniform Public Expression Protection Act, is designed to prevent an abusive type of litigation called a "strategic lawsuit against public participation" (a SLAPP).

A SLAPP may be filed as a defamation, invasion of privacy, nuisance, or other type of claim, but its real purpose is to silence and intimidate the defendant from engaging in constitutionally protected activities, such as free speech.

LB 493 replaces Nebraska's current Anti - SLAPP Act, It updates and improves current law in several respects, including (1) by expanding the types of communications that are protected (current law is limited to protecting comments on public applications or permissions); (2) imposing a time guideline for resolution of the lawsuit to ensure timeliness; (3) explicitly providing that the underlying proceeding is stayed while the SLAPP claim is heard ;(4) clarifying that, when found to be a SLAPP, the underlying suit is dismissed with prejudice; (5) providing for an interlocutory appeal; and (6) requiring attorney's fees.

Principal Introducer: _____

Senator Danielle Conrad