

# One Hundred Third Legislature - First Session - 2013

## Introducer's Statement of Intent

### LB12

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**Chairman: Senator Brad Ashford**

**Committee: Judiciary**

**Date of Hearing: January 24, 2013**

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

Legislative Bill 12 amends Nebraska Revised Statute §25-224 which currently states all product liability actions, except one governed by subsection (5) of this section, shall be commenced within *four* years following the date of a death, injury, or damage complained of occurs. This bill allows product liability action to commence within the period of time commensurate with the product's written warranty or eight years after the date on with the death, injury, or damage complained of occurs, whichever is longer.

Exceptions to this length of time are presently defined in statute, but another exception is being added in this bill. The addition relates to warranty recall notifications and a company or manufacturer failing to provide such notification of a warranty recall. Specifically, the bill says the limitation period shall be suspended or stopped temporarily until the date on which death, injury, or damage complained of occurs in a product liability action commenced after the recall of the product complained of by an owner was required to be notified of the recall, but was not notified.

**Principal Introducer:** \_\_\_\_\_

**Senator Bob Krist, District 10**