LEGISLATURE OF NEBRASKA
ONE HUNDRED SIXTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 179

FINAL READING

Introduced by Hilgers, 21.
Read first time January 11, 2019
Committee: Judiciary

1 A BILL FOR AN ACT relating to civil procedure; to amend section 25-1902, Reissue Revised Statutes of Nebraska; to authorize the appeal of certain motions as final orders; to harmonize provisions; to provide severability; and to repeal the original section.

5 Be it enacted by the people of the State of Nebraska,
Section 1. Section 25-1902, Reissue Revised Statutes of Nebraska, is amended to read:

25-1902 (1) The following are final orders which may be vacated, modified, or reversed:

(a) An order affecting a substantial right in an action, when such order in effect determines the action and prevents a judgment;

(b) An order affecting a substantial right made during in a special proceeding;

(c) An order affecting a substantial right made on or upon a summary application in an action after a judgment is entered; and

(d) An order denying a motion for summary judgment when such motion is based on the assertion of sovereign immunity or the immunity of a government official.

(2) An order under subdivision (1)(d) of this section may be appealed pursuant to section 25-1912 within thirty days after the entry of such order or within thirty days after the entry of judgment.

Sec. 2. If any section in this act or any part of any section is declared invalid or unconstitutional, the declaration shall not affect the validity or constitutionality of the remaining portions.

Sec. 3. Original section 25-1902, Reissue Revised Statutes of Nebraska, is repealed.