

LEGISLATURE OF NEBRASKA
ONE HUNDRED NINTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 1171

Introduced by Moser, 22.

Read first time January 21, 2026

Committee: Judiciary

- 1 A BILL FOR AN ACT relating to the Political Subdivisions Tort Claims Act;
- 2 to amend section 13-901, Reissue Revised Statutes of Nebraska; to
- 3 provide for certain claims under the act; to harmonize provisions;
- 4 and to repeal the original section.
- 5 Be it enacted by the people of the State of Nebraska,

1 **Section 1.** Section 13-901, Reissue Revised Statutes of Nebraska, is
2 amended to read:

3 13-901 Sections 13-901 to 13-928 and section 2 of this act shall be
4 known and may be cited as the Political Subdivisions Tort Claims Act.

5 **Sec. 2.** (1) For purposes of this section, sewer system means a
6 sewer system that is owned and operated by a political subdivision.

7 (2) If a private residence or other building is damaged due to a
8 sewer system backup caused by the negligent act or omission of an
9 employee of the political subdivision that operates the sewer system or a
10 contractor hired by such political subdivision and the amount of damages
11 are known and not in dispute, the owner of the private residence or other
12 building may file a claim under the Political Subdivisions Tort Claims
13 Act and the governing body of the political subdivision shall pay the
14 claim within ninety days after the date of filing.

15 (3) If the negligent act or omission described in subsection (2) of
16 this section was committed by a contractor of a political subdivision,
17 the political subdivision may bring an action for recovery from such
18 contractor.

19 **Sec. 3.** Original section 13-901, Reissue Revised Statutes of
20 Nebraska, is repealed.