

LEGISLATIVE BILL 118

Approved by the Governor February 16, 1993

Introduced by Lindsay, 9; Hartnett, 45

AN ACT relating to the executions of judgments; to amend sections 25-1563.02 and 48-149, Reissue Revised Statutes of Nebraska, 1943; to change provisions relating to exemption from executions of certain settlements, compensation, and benefits as prescribed; to repeal the original sections; and to declare an emergency.

Be it enacted by the people of the State of Nebraska,

Section 1. That section 25-1563.02, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

25-1563.02. All proceeds and benefits, including interest earned thereon, which are paid either in a lump sum or are accruing under any structured settlement providing periodic payments, which lump-sum settlement or periodic payments are made as compensation for personal injuries or death, shall be exempt from attachment, garnishment, or other legal or equitable process and from all claims of creditors of the beneficiary ~~of the structured settlement or the beneficiary's surviving dependents~~ unless a written assignment to the contrary has been obtained by the claimant.

Sec. 2. That section 48-149, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

48-149. No proceeds or interest thereon from payments or lump-sum settlements under the Nebraska Workers' Compensation Act or law of another state which provides compensation and benefits for employees sustaining job-related injuries shall be assignable, ~~or~~ subject to attachment or garnishment, or be held liable in any way for any debts, except as provided in section 48-108.

Sec. 3. That original sections 25-1563.02 and 48-149, Reissue Revised Statutes of Nebraska, 1943, are repealed.

Sec. 4. Since an emergency exists, this act shall be in full force and take effect, from and after its passage and approval, according to law.