

LEGISLATURE OF NEBRASKA  
ONE HUNDRED THIRD LEGISLATURE  
FIRST SESSION  
**LEGISLATIVE BILL 541**

Introduced by Chambers, 11.

Read first time January 23, 2013

Committee:

A BILL

1 FOR AN ACT relating to the Uniform Arbitration Act; to amend section  
2 25-2602.01, Revised Statutes Cumulative Supplement, 2012;  
3 to prohibit arbitration of claims involving disciplinary  
4 actions against peace officers; and to repeal the  
5 original section.  
6 Be it enacted by the people of the State of Nebraska,

1                   Section 1. Section 25-2602.01, Revised Statutes  
2 Cumulative Supplement, 2012, is amended to read:

3                   25-2602.01 (a) A written agreement to submit any existing  
4 controversy to arbitration is valid, enforceable, and irrevocable  
5 except upon such grounds as exist at law or in equity for the  
6 revocation of any contract.

7                   (b) A provision in a written contract to submit to  
8 arbitration any controversy thereafter arising between the parties is  
9 valid, enforceable, and irrevocable, except upon such grounds as  
10 exist at law or in equity for the revocation of any contract, if the  
11 provision is entered into voluntarily and willingly.

12                   (c) The Uniform Arbitration Act applies to arbitration  
13 agreements between employers and employees or between their  
14 respective representatives.

15                   (d) Contract provisions agreed to by the parties to a  
16 contract control over contrary provisions of the act other than  
17 subsections (e) and (f) of this section.

18                   (e) Subsections (a) and (b) of this section do not apply  
19 to: a

20                   (i) A claim for workers' compensation; or -

21                   (ii) A claim involving disciplinary action against a  
22 peace officer.

23                   (f) Subsection (b) of this section does not apply to:

24                   (1) A claim arising out of personal injury based on tort;

25                   (2) A claim under the Nebraska Fair Employment Practice

1 Act;

2 (3) Any agreement between parties covered by the Motor  
3 Vehicle Industry Regulation Act; and

4 (4) Except as provided in section 44-811, any agreement  
5 concerning or relating to an insurance policy other than a contract  
6 between insurance companies including a reinsurance contract.

7 (g) When a conflict exists, the Uniform Arbitration Act  
8 shall not apply to the Uniform Act on Interstate Arbitration and  
9 Compromise of Death Taxes and sections 44-811, 44-4824, 54-404 to  
10 54-406, 60-2701 to 60-2709, and 70-1301 to 70-1329.

11 Sec. 2. Original section 25-2602.01, Revised Statutes  
12 Cumulative Supplement, 2012, is repealed.