

AMENDMENTS TO LB934

Introduced by Judiciary.

1 1. On page 2, strike beginning with "may" in line 11 through the
2 period in line 12 and insert "or defendant may demand that any claim
3 under the Consumer Protection Act be tried by a jury.".

4 2. On page 5, line 23, after "has" insert "reasonable.".

5 3. On page 6, strike lines 9 through 13 and insert the following new
6 subdivisions:

7 "(e) Obtain an order freezing or impounding connected accounts or
8 assets as provided in subsection (10) of this section.

9 (10)(a) For purposes of this subsection, connected accounts or
10 assets means any bank account, other financial account, money, asset, or
11 property connected with any alleged violation of sections 59-1602 to
12 59-1606.

13 (b) In order to ensure the availability of resources needed to
14 provide restitution or any other remedy available to a consumer by law,
15 the Attorney General may request an ex parte order from the district
16 court temporarily freezing or impounding connected accounts or assets. If
17 granted, such order shall be effective for a period of fourteen days, and
18 the court shall set the matter for a hearing. The Attorney General shall
19 provide notice of the order and hearing to the owner of the connected
20 account or asset. Such notice may be made by publication.

21 (c) Following such hearing, the court may extend the temporary order
22 for any period up to the completion of all proceedings undertaken under
23 the Consumer Protection Act unless earlier canceled or modified at the
24 request of the Attorney General."; in line 20 after "87-303.02" insert
25 "(a)" and after "has" insert "reasonable"; in line 24 strike "(a)", show
26 as stricken, and insert "(1)"; and in line 31 strike "(b)", show as
27 stricken, and insert "(2)".

1 4. On page 7, line 3, strike "(c)", show as stricken, and insert
2 "(3)"; in line 5 strike "(d)", show as stricken, and insert "(4)"; and
3 strike lines 10 through 15 and insert the following new subdivisions:

4 "(5) Obtain an order freezing or impounding connected accounts or
5 assets as provided in subsection (b) of this section.

6 (b)(1) For purposes of this subsection, connected accounts or assets
7 means any bank account, other financial account, money, asset, or
8 property connected with any alleged deceptive trade practice or
9 unconscionable act listed in section 87-302 or 87-303.01.

10 (2) In order to ensure the availability of resources needed to
11 provide restitution or any other remedy available to a consumer by law,
12 the Attorney General may request an ex parte order from the district
13 court temporarily freezing or impounding connected accounts or assets. If
14 granted, such order shall be effective for a period of fourteen days, and
15 the court shall set the matter for a hearing. The Attorney General shall
16 provide notice of the order and hearing to the owner of the connected
17 account or asset. Such notice may be made by publication.

18 (3) Following such hearing, the court may extend the temporary order
19 for any period up to the completion of all proceedings undertaken under
20 the Uniform Deceptive Trade Practices Act unless earlier canceled or
21 modified at the request of the Attorney General."; and strike beginning
22 with "may" in line 16 through the period in line 17 and insert "or
23 defendant may demand that any claim under the Uniform Deceptive Trade
24 Practices Act be tried by a jury.".