

LEGISLATIVE BILL 670

Approved by the Governor March 3, 1978

Introduced by Duis, 39

AN ACT to amend section 25-1017, Reissue Revised Statutes of Nebraska, 1943, relating to garnishment; to provide for interest and costs as prescribed; and to repeal the original section.

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

Section 1. That section 25-1017, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

25-1017. An order of attachment binds the property attached from the time of service, and the garnishee shall stand liable to the plaintiff in attachment for all property, money, and credits in his hands, or due from him to defendant, from the time he is served with the written notice mentioned in section 25-1011, notwithstanding the money or debt owing by such garnishee, and which is sought to be attached, may be payable at the place of residence of a nonresident defendant; but where the property is attached in the hands of a consignee, his lien thereon shall not be affected by the attachment.

At the time of the issuance of the order of attachment, all interest and other costs due, as of that date, shall be computed. All interest and other costs which accrue after such date shall be specified on a per day basis or such other basis for assessment as may exist. Upon delivery of the attached property by the garnishee, such garnishee shall not be liable for interest or costs other than those specified in the order of attachment.

Sec. 2. That original section 25-1017, Reissue Revised Statutes of Nebraska, 1943, is repealed.