

LEGISLATURE OF NEBRASKA
ONE HUNDRED FOURTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 515

Introduced by Craighead, 6.

Read first time January 21, 2015

Committee: Banking, Commerce and Insurance

- 1 A BILL FOR AN ACT relating to the Nebraska Investment Finance Authority
- 2 Act; to amend section 58-242, Reissue Revised Statutes of Nebraska;
- 3 to change an aggregate loan limit for agricultural projects as
- 4 prescribed; and to repeal the original section.
- 5 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 58-242, Reissue Revised Statutes of Nebraska, is
2 amended to read:

3 58-242 Prior to exercising any of the powers authorized by the
4 Nebraska Investment Finance Authority Act regarding agricultural projects
5 as defined in subdivision (2) of section 58-219, the authority shall
6 require:

7 (1) That no loan will be made to any person with a net worth of more
8 than five hundred thousand dollars;

9 (2) That the lender certify and agree that it will use the proceeds
10 of such loan, investment, sale, or assignment within a reasonable period
11 of time to make loans or purchase loans to provide agricultural
12 enterprises or, if such lender has made a commitment to make loans to
13 provide agricultural enterprises on the basis of a commitment from the
14 authority to purchase such loans, such lender will make such loans and
15 sell the same to the authority within a reasonable period of time;

16 (3) That the lender certify that the borrower is an individual who
17 is actively engaged in or who will become actively engaged in an
18 agricultural enterprise after he or she receives the loan or that the
19 borrower is a firm, partnership, limited liability company, corporation,
20 or other entity with all owners, partners, members, or stockholders
21 thereof being natural persons who are actively engaged in or who will be
22 actively engaged in an agricultural enterprise after the loan is
23 received;

24 (4) That the aggregate amount of the loan received by a borrower
25 shall not exceed five hundred seventeen thousand seven hundred dollars,
26 as such amount shall be adjusted for inflation in accordance with section
27 147(c) of the Internal Revenue Code of 1986, as amended. In computing
28 such amount a loan received by an individual shall be aggregated with
29 those loans received by his or her spouse and children and a loan
30 received by a firm, partnership, limited liability company, or
31 corporation shall be aggregated with those loans received by each owner,

1 partner, member, or stockholder thereof; and

2 (5) That the recipient of the loan be identified in the minutes of
3 the authority prior to or at the time of adoption by the authority of the
4 resolution authorizing the issuance of the bonds which will provide for
5 financing of the loan.

6 Sec. 2. Original section 58-242, Reissue Revised Statutes of
7 Nebraska, is repealed.