

AMENDMENTS TO LB874

Introduced by Urban Affairs.

1           1. Strike the original sections and insert the following new  
2 sections:

3           Section 1. Section 13-2610, Revised Statutes Cumulative Supplement,  
4 2016, is amended to read:

5           13-2610 (1) Upon the annual certification under section 13-2609, the  
6 State Treasurer shall transfer after the audit the amount certified to  
7 the Convention Center Support Fund. The Convention Center Support Fund is  
8 created. Transfers may be made from the fund to the General Fund at the  
9 direction of the Legislature. Any money in the Convention Center Support  
10 Fund available for investment shall be invested by the state investment  
11 officer pursuant to the Nebraska Capital Expansion Act and the Nebraska  
12 State Funds Investment Act.

13           (2) It is the intent of the Legislature to appropriate from the fund  
14 to any political subdivision for which an application for state  
15 assistance under the Convention Center Facility Financing Assistance Act  
16 has been approved an amount not to exceed (a) seventy percent of the  
17 state sales tax revenue collected by retailers and operators doing  
18 business at such facilities on sales at such facilities, state sales tax  
19 revenue collected on primary and secondary box office sales of admissions  
20 to such facilities, and state sales tax revenue collected by associated  
21 hotels, (b) seventy-five million dollars for any one approved project, or  
22 (c) the total cost of acquiring, constructing, improving, or equipping  
23 the eligible facility. State assistance shall not be used for an  
24 operating subsidy or other ancillary facility.

25           (3)(a) Ten percent of such funds appropriated to a city of the  
26 metropolitan class under subsection (2) of this section shall be equally  
27 distributed to areas with a high concentration of poverty to (i) showcase

1 important historical aspects of such areas or areas within close  
2 geographic proximity of the area with a high concentration of poverty or  
3 (ii) assist with the reduction of street and gang violence in such areas.

4 (b) Each area with a high concentration of poverty that has been  
5 distributed funds under subdivision (3)(a) of this section shall  
6 establish a development fund and form a committee which shall identify  
7 and research potential projects to be completed in the area with a high  
8 concentration of poverty or in an area within close geographic proximity  
9 of such area if the project would have a significant or demonstrable  
10 impact on such area and make final determinations on the use of state  
11 sales tax revenue received for such projects.

12 (c) A committee formed under subdivision (3)(b) of this section  
13 shall include the following three members:

14 (i) The member of the city council whose district includes a  
15 majority of the census tracts which each contain a percentage of persons  
16 below the poverty line of greater than thirty percent, as determined by  
17 the most recent federal decennial census, within the area with a high  
18 concentration of poverty;

19 (ii) The commissioner of the county whose district includes a  
20 majority of the census tracts which each contain a percentage of persons  
21 below the poverty line of greater than thirty percent, as determined by  
22 the most recent federal decennial census, within the area with a high  
23 concentration of poverty; and

24 (iii) A resident of the area with a high concentration of poverty,  
25 appointed by the other two members of the committee.

26 (d) A committee formed under subdivision (3)(b) of this section  
27 shall solicit project ideas from the public and shall hold a public  
28 hearing in the area with a high concentration of poverty. Notice of a  
29 proposed hearing shall be provided in accordance with the procedures for  
30 notice of a public hearing pursuant to section 13 of this act ~~18-2115~~.

31 The committee shall research potential projects and make the final

1 determination regarding the annual distribution of funding to such  
2 projects.

3 (e) For purposes of this subsection, an area with a high  
4 concentration of poverty means an area within the corporate limits of a  
5 city of the metropolitan class consisting of one or more contiguous  
6 census tracts, as determined by the most recent federal decennial census,  
7 which contain a percentage of persons below the poverty line of greater  
8 than thirty percent, and all census tracts contiguous to such tract or  
9 tracts, as determined by the most recent federal decennial census.

10 (4)(a) Ten percent of such funds appropriated to a city of the  
11 primary class under subsection (2) of this section may, if the city  
12 determines by consent of the city council that such funds are not  
13 currently needed for the purposes described in section 13-2604, be used  
14 as follows:

15 (i) For investment in the construction of qualified low-income  
16 housing projects as defined in 26 U.S.C. 42, including qualified projects  
17 receiving Nebraska affordable housing tax credits under the Affordable  
18 Housing Tax Credit Act; or

19 (ii) If there are no such qualified low-income housing projects as  
20 defined in 26 U.S.C. 42 being constructed or expected to be constructed  
21 within the political subdivision, for investment in areas with a high  
22 concentration of poverty to assist with low-income housing needs.

23 (b) For purposes of this subsection, an area with a high  
24 concentration of poverty means an area within the corporate limits of a  
25 city of the primary class consisting of one or more contiguous census  
26 tracts, as determined by the most recent American Community Survey 5-Year  
27 Estimate, which contain a percentage of persons below the poverty line of  
28 greater than thirty percent, and all census tracts contiguous to such  
29 tract or tracts, as determined by the most recent American Community  
30 Survey 5-Year Estimate.

31 (5) State assistance to the political subdivision shall no longer be

1 available upon the retirement of the bonds issued to acquire, construct,  
2 improve, or equip the facility or any subsequent bonds that refunded the  
3 original issue or when state assistance reaches the amount determined  
4 under subsection (2) of this section, whichever comes first.

5 (6) The remaining thirty percent of state sales tax revenue  
6 collected by retailers and operators doing business at such facilities on  
7 sales at such facilities, state sales tax revenue collected on primary  
8 and secondary box office sales of admissions to such facilities, and  
9 state sales tax revenue collected by associated hotels, shall be  
10 appropriated by the Legislature to the Civic and Community Center  
11 Financing Fund. Upon the annual certification required pursuant to  
12 section 13-2609 and following the transfer to the Convention Center  
13 Support Fund required pursuant to subsection (1) of this section, the  
14 State Treasurer shall transfer an amount equal to the remaining thirty  
15 percent from the Convention Center Support Fund to the Civic and  
16 Community Center Financing Fund.

17 (7) Any municipality that has applied for and received a grant of  
18 assistance under the Civic and Community Center Financing Act may not  
19 receive state assistance under the Convention Center Facility Financing  
20 Assistance Act.

21 Sec. 2. Section 15-1301, Reissue Revised Statutes of Nebraska, is  
22 amended to read:

23 15-1301 As used in sections 15-1301 to 15-1307, unless the context  
24 otherwise requires:

25 (1) City shall mean any city of the primary class;

26 (2) Federal government shall mean the United States of America, or  
27 any agency or instrumentality, corporate or otherwise, of the United  
28 States of America; and

29 (3) Community development activity shall mean any activity  
30 authorized in the Community Development Law ~~sections 18-2101 to 18-2144,~~  
31 construction of community facilities, conservation and rehabilitation of

1 property, neighborhood development, code enforcement, and all of the  
2 jurisdiction and authority granted a housing authority under Chapter 71,  
3 article 15.

4 Sec. 3. Section 17-405.01, Revised Statutes Supplement, 2017, is  
5 amended to read:

6 17-405.01 (1) Except as provided in subsection (2) of this section  
7 and section 17-407, the mayor and city council of any city of the second  
8 class or the chairperson and members of the village board of trustees may  
9 by ordinance, except as provided in sections 13-1111 to 13-1118, at any  
10 time, include within the corporate limits of such city or village any  
11 contiguous or adjacent lands, lots, tracts, streets, or highways as are  
12 urban or suburban in character, and in such direction as may be deemed  
13 proper. Such grant of power shall not be construed as conferring power to  
14 extend the limits of any city of the second class or village over any  
15 agricultural lands which are rural in character.

16 (2) The mayor and city council of any city of the second class or  
17 the chairperson and members of the village board of trustees may, by  
18 ordinance, annex any lands, lots, tracts, streets, or highways which  
19 constitute a redevelopment project area so designated by the city or  
20 village or its community redevelopment authority in accordance with the  
21 provisions of the Community Development Law and ~~sections 18-2145 to~~  
22 ~~18-2154~~ when such annexation is for the purpose of implementing a  
23 lawfully adopted redevelopment plan containing a provision dividing ad  
24 valorem taxes as provided in subsection (1) of section 18-2147 and which  
25 will involve the construction or development of an agricultural  
26 processing facility, notwithstanding that such lands, lots, tracts,  
27 streets, or highways are not contiguous or adjacent or are not urban or  
28 suburban in character. Such annexation shall comply with all other  
29 provisions of law relating to annexation generally for cities of the  
30 second class and villages. The city or village shall not, in consequence  
31 of the annexation under this subsection of any noncontiguous land,

1 exercise the authority granted to it by statute to extend its  
2 extraterritorial zoning jurisdiction beyond its corporate boundaries for  
3 purposes of planning, zoning, or subdivision development without the  
4 agreement of any other city, village, or county currently exercising  
5 zoning jurisdiction over the area surrounding the annexed redevelopment  
6 project area. The annexation of any noncontiguous land undertaken  
7 pursuant to this subsection shall not result in any change in the service  
8 area of any electric utility without the express agreement of the  
9 electric utility serving the annexed noncontiguous area at the time of  
10 annexation, except that at such time following the annexation of the  
11 noncontiguous area as the city or village lawfully annexes sufficient  
12 intervening territory so as to directly connect the noncontiguous area to  
13 the main body of the city or village, such noncontiguous area shall,  
14 solely for the purposes of section 70-1008, be treated as if it had been  
15 annexed by the city or village on the date upon which the connecting  
16 intervening territory had been formally annexed.

17 (3) For purposes of subsection (2) of this section, agricultural  
18 processing facility means a plant or establishment where value is added  
19 to agricultural commodities through processing, fabrication, or other  
20 means and where eighty percent or more of the direct sales from the  
21 facility are to other than the ultimate consumer of the processed  
22 commodities. A facility shall not qualify as an agricultural processing  
23 facility unless its construction or development involves the investment  
24 of more than one million dollars derived from nongovernmental sources.

25 Sec. 4. Section 18-2101, Revised Statutes Cumulative Supplement,  
26 2016, is amended to read:

27 18-2101 Sections 18-2101 to 18-2154 and sections 13, 16, 17, and 18  
28 of this act ~~18-2144~~ shall be known and may be cited as the Community  
29 Development Law.

30 Sec. 5. Section 18-2101.01, Reissue Revised Statutes of Nebraska, is  
31 amended to read:

1           18-2101.01 Cities of all classes and villages of this state are  
2 hereby granted power and authority to create a community development  
3 agency by ordinance, which agency may consist of the governing body of  
4 the city or village or a new or existing municipal division or  
5 department, or combination thereof. When such an agency is created, it  
6 shall function in the manner prescribed by ordinance and may exercise all  
7 of the power and authority granted to a community redevelopment authority  
8 under the Community Development Law in sections 18-2101 to 18-2144.  
9 Cities of all classes and villages of this state are also granted power  
10 and authority to do all community development activities, and to do all  
11 things necessary to cooperate with the federal government in all matters  
12 relating to community development program activities as a grantee, or as  
13 an agent or otherwise, under the provisions of the federal Housing and  
14 Community Development Act of 1974, as amended through the Housing and  
15 Community Development Amendments of 1981. Whenever such a city exercises  
16 the power conferred in this section, it may levy taxes for the exercise  
17 of such jurisdiction and authority and may issue general obligation  
18 bonds, general obligation notes, revenue bonds, and revenue notes  
19 including general obligation and revenue refunding bonds and notes for  
20 the purposes set forth in the Community Development Law such sections and  
21 under the power granted to any authority described.

22           Sec. 6. Section 18-2102.01, Revised Statutes Supplement, 2017, is  
23 amended to read:

24           18-2102.01 Cities of all classes and villages of this state are  
25 hereby granted power and authority to create community redevelopment  
26 authorities and limited community redevelopment authorities.

27           (1) Whenever an authority or limited authority is created it shall  
28 bear the name of the city creating it and shall be legally known as the  
29 Community Redevelopment Authority of the City (or Village)  
30 of ..... (name of city or village) or the Limited Community  
31 Redevelopment Authority of the City (or Village) of ..... (name

1 of city or village).

2 (2) When it is determined by the governing body of any city by  
3 ordinance in the exercise of its discretion that it is expedient to  
4 create a community redevelopment authority or limited community  
5 redevelopment authority, the mayor of the city or, if the mayor shall  
6 fail to act within ninety days after the passage of the ordinance, the  
7 president or other presiding officer other than the mayor of the  
8 governing body, with the approval of the governing body of the city,  
9 shall appoint five or seven persons who shall constitute the authority or  
10 the limited authority. The terms of office of the members of a five-  
11 member authority initially appointed shall be for one year, two years,  
12 three years, four years, and five years, as designated by the mayor,  
13 president, other presiding officer, or city manager in making the  
14 respective appointments. The terms of office of the members of a seven-  
15 member authority initially appointed shall be one member each for one  
16 year, two years, and five years, and two members each for three years and  
17 four years, as designated by the mayor, president, other presiding  
18 officer, or city manager in making the respective appointments. As the  
19 terms of the members of the authority expire in cities not having the  
20 city manager form of government, the mayor, with the approval of the  
21 governing body of the city, shall appoint or reappoint a member of the  
22 authority for a term of five years to succeed the member whose term  
23 expires. In cities having the city manager form of government, the city  
24 manager shall appoint or reappoint the members with the approval of the  
25 governing body. The terms of office of the members of a limited community  
26 redevelopment authority shall be for the duration of only one single  
27 specific limited pilot project authorized in the ordinance creating the  
28 limited community redevelopment authority, and the terms of the members  
29 of a limited community redevelopment authority shall expire upon the  
30 completion of the single specific limited pilot project authorized in the  
31 ordinance creating the limited community redevelopment authority.



1           (3) A governing body may at its option submit an ordinance which  
2 creates a community redevelopment authority or a limited community  
3 redevelopment authority to the electors of the city for approval by a  
4 majority vote of the electors voting on the ordinance. On submitting the  
5 ordinance for approval, the governing body is authorized to call, by the  
6 ordinance, a special or general election and to submit, after thirty  
7 days' notice of the time and place of holding the election and according  
8 to the manner and method otherwise provided by law for the calling,  
9 conducting, canvassing, and certifying of the result of city elections on  
10 the submission of propositions to the electors, the proposition to be  
11 stated on the ballot as follows:

12           Shall the City (or Village) of ..... (name of city or  
13 village) create a Community Redevelopment Authority of the City (or  
14 Village) of ..... (name of city or village)?

- 15           ... Yes
- 16           ... No.

17           When the ordinance submitted to the electors for approval by a  
18 majority vote of the electors voting on the ordinance is to create a  
19 limited community redevelopment authority the proposition shall be stated  
20 on the ballot as follows:

21           Shall the City (or Village) of ..... (name of city or  
22 village) create a Limited Community Redevelopment Authority of the City  
23 (or Village) of ..... (name of city or village)?

- 24           ... Yes
- 25           ... No.

26           (4) Vacancies shall be filled for any unexpired term in the same  
27 manner as the original appointment. Members of the authority so appointed  
28 shall hold office until their successors have been appointed and  
29 qualified. Members of a limited authority shall hold office as provided  
30 in this section. All members of the authority shall serve without  
31 compensation, but shall be entitled to be reimbursed for all necessary

1 expenses incurred.

2 (5) ~~(3)~~ Any authority established under this section shall organize  
3 by electing one of its members chairperson and another vice-chairperson,  
4 shall have power to employ counsel, a director who shall be ex officio  
5 secretary of the authority, and such other officers and employees as may  
6 be desired, and shall fix the term of office, qualifications, and  
7 compensation of each. The holder of the office of community redevelopment  
8 administrator or coordinator of the city may, but need not, be appointed  
9 the director but at no additional compensation by the authority.  
10 Community redevelopment authorities of cities of the first and second  
11 class and villages may secure the services of a director, community  
12 redevelopment administrator, or coordinator, and other officers and  
13 employees as may be desired through contract with the Department of  
14 Economic Development upon terms which are mutually agreeable. Any  
15 authority established under this section may validly and effectively act  
16 on all matters requiring a resolution or other official action by the  
17 concurrence of three members of a five-member authority or four members  
18 of a seven-member authority present and voting at a meeting of the  
19 authority. Orders, requisitions, warrants, and other documents may be  
20 executed by the chairperson or vice-chairperson or by or with others  
21 designated in its bylaws.

22 (6) ~~(4)~~ No member or employee of any authority established under  
23 this section shall have any interest directly or indirectly in any  
24 contract for property, materials, or services to be required by such  
25 authority. No member of any authority established under this section  
26 shall also be a member of any planning commission created under section  
27 19-925.

28 (7) ~~(5)~~ The authority shall keep an accurate account of all its  
29 activities and of all receipts and disbursements and make an annual  
30 report of such activities, receipts, and disbursements to the governing  
31 body of the city.

1           (8) ~~(6)~~ The governing body of a city creating a community  
2 redevelopment authority or a limited community redevelopment authority is  
3 hereby authorized to appropriate and loan to the authority a sum not  
4 exceeding ten thousand dollars for the purposes of paying expenses of  
5 organizing and supervising the work of the authority at the beginning of  
6 its activities. The loan shall be authorized by resolution of the  
7 governing body which shall set forth the terms and time of the repayment  
8 of the loan. The loan may be appropriated out of the general funds or any  
9 sinking fund.

10           (9) ~~(7)~~ All income, revenue, profits, and other funds received by  
11 any authority established under this section from whatever source  
12 derived, or appropriated by the city, or realized from tax receipts or  
13 comprised in the special revenue fund of the city designated for the  
14 authority or from the proceeds of bonds, or otherwise, shall be deposited  
15 with the city treasurer as ex officio treasurer of the authority without  
16 commingling the money with any other money under his or her control and  
17 disbursed by him or her by check, draft, or order only upon warrants,  
18 orders, or requisitions by the chairperson of the authority or other  
19 person authorized by the authority which shall state distinctly the  
20 purpose for which the same are drawn. A permanent record shall be kept by  
21 the authority of all warrants, orders, or requisitions so drawn, showing  
22 the date, amount, consideration, and to whom payable. When paid, the same  
23 shall be canceled and kept on file by the city treasurer. The books of  
24 any authority established under this section shall from time to time be  
25 audited upon the order of the governing body of the municipality in such  
26 manner as it may direct, and all books and records of the authority shall  
27 at all times be open to public inspection. The Auditor of Public Accounts  
28 may audit, or cause to be audited, any authority established under this  
29 section or any redevelopment plan of such authority when the Auditor of  
30 Public Accounts determines such audit is necessary or when requested by  
31 the governing body, and such audit shall be at the expense of the

1 authority. The authority may contract with the holders of any of its  
2 bonds or notes as to collection, custody, securing investment, and  
3 payment of any money of the authority or any money held in trust or  
4 otherwise for the payment of bonds or notes or in any way to secure bonds  
5 or notes. The authority may carry out the contract notwithstanding that  
6 such contract may be inconsistent with the previous provisions of this  
7 subdivision. All banks, capital stock financial institutions, qualifying  
8 mutual financial institutions, and trust companies are hereby authorized  
9 to give security for the deposits of money of any authority established  
10 under the provisions of this section pursuant to the Public Funds Deposit  
11 Security Act. Section 77-2366 applies to deposits in capital stock  
12 financial institutions. Section 77-2365.01 shall apply to deposits in  
13 qualifying mutual financial institutions.

14 Sec. 7. Section 18-2103, Revised Statutes Cumulative Supplement,  
15 2016, is amended to read:

16 18-2103 For purposes of the Community Development Law, unless the  
17 context otherwise requires:

18 (1) Area of operation means and includes the area within the  
19 corporate limits of the city and such land outside the city as may come  
20 within the purview of sections 18-2123 and 18-2123.01;

21 (2) Authority means any community redevelopment authority created  
22 pursuant to section 18-2102.01 and a city or village which has created a  
23 community development agency pursuant to the provisions of section  
24 18-2101.01 and does not include a limited community redevelopment  
25 authority;

26 (3) Blighted area means an area, which (a) by reason of the presence  
27 of a substantial number of deteriorated or deteriorating structures,  
28 existence of defective or inadequate street layout, faulty lot layout in  
29 relation to size, adequacy, accessibility, or usefulness, insanitary or  
30 unsafe conditions, deterioration of site or other improvements, diversity  
31 of ownership, tax or special assessment delinquency exceeding the fair

1 value of the land, defective or unusual conditions of title, improper  
2 subdivision or obsolete platting, or the existence of conditions which  
3 endanger life or property by fire and other causes, or any combination of  
4 such factors, substantially impairs or arrests the sound growth of the  
5 community, retards the provision of housing accommodations, or  
6 constitutes an economic or social liability and is detrimental to the  
7 public health, safety, morals, or welfare in its present condition and  
8 use and (b) in which there is at least one of the following conditions:  
9 (i) Unemployment in the designated area is at least one hundred twenty  
10 percent of the state or national average; (ii) the average age of the  
11 residential or commercial units in the area is at least forty years;  
12 (iii) more than half of the plotted and subdivided property in an area is  
13 unimproved land that has been within the city for forty years and has  
14 remained unimproved during that time; (iv) the per capita income of the  
15 area is lower than the average per capita income of the city or village  
16 in which the area is designated; or (v) the area has had either stable or  
17 decreasing population based on the last two decennial censuses. In no  
18 event shall a city of the metropolitan, primary, or first class designate  
19 more than thirty-five percent of the city as blighted, a city of the  
20 second class shall not designate an area larger than fifty percent of the  
21 city as blighted, and a village shall not designate an area larger than  
22 one hundred percent of the village as blighted. A redevelopment project  
23 involving a formerly used defense site as authorized under section  
24 18-2123.01 shall not count towards the percentage limitations contained  
25 in this subdivision;

26 (4) Bonds means any bonds, including refunding bonds, notes, interim  
27 certificates, debentures, or other obligations issued pursuant to the  
28 Community Development Law except for bonds issued pursuant to section  
29 18-2142.04;

30 (5) Business means any private business located in an enhanced  
31 employment area;

1           (6) City means any city or incorporated village in the state;

2           (7) Clerk means the clerk of the city or village;

3           (8) Community redevelopment area means a substandard and blighted  
4 area which the community redevelopment authority designates as  
5 appropriate for a renewal project;

6           (9) Employee means a person employed at a business as a result of a  
7 redevelopment project;

8           (10) Employer-provided health benefit means any item paid for by the  
9 employer in total or in part that aids in the cost of health care  
10 services, including, but not limited to, health insurance, health savings  
11 accounts, and employer reimbursement of health care costs;

12           (11) Enhanced employment area means an area not exceeding six  
13 hundred acres (a) within a community redevelopment area which is  
14 designated by an authority as eligible for the imposition of an  
15 occupation tax or (b) not within a community redevelopment area as may be  
16 designated under section 18-2142.04;

17           (12) Equivalent employees means the number of employees computed by  
18 (a) dividing the total hours to be paid in a year by (b) the product of  
19 forty times the number of weeks in a year;

20           (13) Federal government means the United States of America, or any  
21 agency or instrumentality, corporate or otherwise, of the United States  
22 of America;

23           (14) Governing body or local governing body means the city council,  
24 board of trustees, or other legislative body charged with governing the  
25 municipality;

26           (15) Limited community redevelopment authority means a community  
27 redevelopment authority created pursuant to section 18-2102.01 having  
28 only one single specific limited pilot project authorized;

29           (16) Mayor means the mayor of the city or chairperson of the board  
30 of trustees of the village;

31           (17) New investment means the value of improvements to real estate

1 made in an enhanced employment area by a developer or a business;

2 (18) Number of new employees means the number of equivalent  
3 employees that are employed at a business as a result of the  
4 redevelopment project during a year that are in excess of the number of  
5 equivalent employees during the year immediately prior to the year that a  
6 redevelopment plan is adopted;

7 (19) Obligee means any bondholder, agent, or trustee for any  
8 bondholder, or lessor demising to any authority, established pursuant to  
9 section 18-2102.01, property used in connection with a redevelopment  
10 project, or any assignee or assignees of such lessor's interest or any  
11 part thereof, and the federal government when it is a party to any  
12 contract with such authority;

13 (20) Occupation tax means a tax imposed under section 18-2142.02;

14 (21) Person means any individual, firm, partnership, limited  
15 liability company, corporation, company, association, joint-stock  
16 association, or body politic and includes any trustee, receiver,  
17 assignee, or other similar representative thereof;

18 (22) Public body means the state or any municipality, county,  
19 township, board, commission, authority, district, or other political  
20 subdivision or public body of the state;

21 (23) Real property means all lands, including improvements and  
22 fixtures thereon, and property of any nature appurtenant thereto, or used  
23 in connection therewith, and every estate, interest and right, legal or  
24 equitable, therein, including terms for years and liens by way of  
25 judgment, mortgage, or otherwise, and the indebtedness secured by such  
26 liens;

27 (24) Redeveloper means any person, partnership, or public or private  
28 corporation or agency which enters or proposes to enter into a  
29 redevelopment contract;

30 (25) Redevelopment contract means a contract entered into between an  
31 authority and a redeveloper for the redevelopment of an area in

1 conformity with a redevelopment plan;

2 (26) Redevelopment plan means a plan, as it exists from time to time  
3 for one or more community redevelopment areas, or for a redevelopment  
4 project, which (a) conforms to the general plan for the municipality as a  
5 whole and (b) is sufficiently complete to indicate such land acquisition,  
6 demolition and removal of structures, redevelopment, improvements, and  
7 rehabilitation as may be proposed to be carried out in the community  
8 redevelopment area, zoning and planning changes, if any, land uses,  
9 maximum densities, and building requirements;

10 ~~(1) An authority means any community redevelopment authority created~~  
11 ~~pursuant to section 18-2102.01 and a city or village which has created a~~  
12 ~~community development agency pursuant to the provisions of section~~  
13 ~~18-2101.01 and does not include a limited community redevelopment~~  
14 ~~authority;~~

15 ~~(2) Limited community redevelopment authority means a community~~  
16 ~~redevelopment authority created pursuant to section 18-2102.01 having~~  
17 ~~only one single specific limited pilot project authorized;~~

18 ~~(3) City means any city or incorporated village in the state;~~

19 ~~(4) Public body means the state or any municipality, county,~~  
20 ~~township, board, commission, authority, district, or other political~~  
21 ~~subdivision or public body of the state;~~

22 ~~(5) Governing body or local governing body means the city council,~~  
23 ~~board of trustees, or other legislative body charged with governing the~~  
24 ~~municipality;~~

25 ~~(6) Mayor means the mayor of the city or chairperson of the board of~~  
26 ~~trustees of the village;~~

27 ~~(7) Clerk means the clerk of the city or village;~~

28 ~~(8) Federal government means the United States of America, or any~~  
29 ~~agency or instrumentality, corporate or otherwise, of the United States~~  
30 ~~of America;~~

31 ~~(9) Area of operation means and includes the area within the~~



1 ~~corporate limits of the city and such land outside the city as may come~~  
2 ~~within the purview of sections 18-2123 and 18-2123.01;~~

3 ~~(10) Substandard areas means an area in which there is a~~  
4 ~~predominance of buildings or improvements, whether nonresidential or~~  
5 ~~residential in character, which, by reason of dilapidation,~~  
6 ~~deterioration, age or obsolescence, inadequate provision for ventilation,~~  
7 ~~light, air, sanitation, or open spaces, high density of population and~~  
8 ~~overcrowding, or the existence of conditions which endanger life or~~  
9 ~~property by fire and other causes, or any combination of such factors, is~~  
10 ~~conducive to ill health, transmission of disease, infant mortality,~~  
11 ~~juvenile delinquency, and crime, (which cannot be remedied through~~  
12 ~~construction of prisons), and is detrimental to the public health,~~  
13 ~~safety, morals, or welfare;~~

14 ~~(11) Blighted area means an area, which (a) by reason of the~~  
15 ~~presence of a substantial number of deteriorated or deteriorating~~  
16 ~~structures, existence of defective or inadequate street layout, faulty~~  
17 ~~lot layout in relation to size, adequacy, accessibility, or usefulness,~~  
18 ~~insanitary or unsafe conditions, deterioration of site or other~~  
19 ~~improvements, diversity of ownership, tax or special assessment~~  
20 ~~delinquency exceeding the fair value of the land, defective or unusual~~  
21 ~~conditions of title, improper subdivision or obsolete platting, or the~~  
22 ~~existence of conditions which endanger life or property by fire and other~~  
23 ~~causes, or any combination of such factors, substantially impairs or~~  
24 ~~arrests the sound growth of the community, retards the provision of~~  
25 ~~housing accommodations, or constitutes an economic or social liability~~  
26 ~~and is detrimental to the public health, safety, morals, or welfare in~~  
27 ~~its present condition and use and (b) in which there is at least one of~~  
28 ~~the following conditions: (i) Unemployment in the designated area is at~~  
29 ~~least one hundred twenty percent of the state or national average; (ii)~~  
30 ~~the average age of the residential or commercial units in the area is at~~  
31 ~~least forty years; (iii) more than half of the plotted and subdivided~~

1 ~~property in an area is unimproved land that has been within the city for~~  
2 ~~forty years and has remained unimproved during that time; (iv) the per~~  
3 ~~capita income of the area is lower than the average per capita income of~~  
4 ~~the city or village in which the area is designated; or (v) the area has~~  
5 ~~had either stable or decreasing population based on the last two~~  
6 ~~decennial censuses. In no event shall a city of the metropolitan,~~  
7 ~~primary, or first class designate more than thirty-five percent of the~~  
8 ~~city as blighted, a city of the second class shall not designate an area~~  
9 ~~larger than fifty percent of the city as blighted, and a village shall~~  
10 ~~not designate an area larger than one hundred percent of the village as~~  
11 ~~blighted. A redevelopment project involving a formerly used defense site~~  
12 ~~as authorized under section 18-2123.01 shall not count towards the~~  
13 ~~percentage limitations contained in this subdivision;~~

14 (27) (12) Redevelopment project means any work or undertaking in one  
15 or more community redevelopment areas: (a) To acquire substandard and  
16 blighted areas or portions thereof, including lands, structures, or  
17 improvements the acquisition of which is necessary or incidental to the  
18 proper clearance, development, or redevelopment of such substandard and  
19 blighted areas; (b) to clear any such areas by demolition or removal of  
20 existing buildings, structures, streets, utilities, or other improvements  
21 thereon and to install, construct, or reconstruct streets, utilities,  
22 parks, playgrounds, public spaces, public parking facilities, sidewalks  
23 or moving sidewalks, convention and civic centers, bus stop shelters,  
24 lighting, benches or other similar furniture, trash receptacles,  
25 shelters, skywalks and pedestrian and vehicular overpasses and  
26 underpasses, enhancements to structures in the redevelopment plan area  
27 which exceed minimum building and design standards in the community and  
28 prevent the recurrence of substandard and blighted conditions, and any  
29 other necessary public improvements essential to the preparation of sites  
30 for uses in accordance with a redevelopment plan; (c) to sell, lease, or  
31 otherwise make available land in such areas for residential,

1 recreational, commercial, industrial, or other uses, including parking or  
2 other facilities functionally related or subordinate to such uses, or for  
3 public use or to retain such land for public use, in accordance with a  
4 redevelopment plan; and may also include the preparation of the  
5 redevelopment plan, the planning, survey, and other work incident to a  
6 redevelopment project and the preparation of all plans and arrangements  
7 for carrying out a redevelopment project; (d) to dispose of all real and  
8 personal property or any interest in such property, or assets, cash, or  
9 other funds held or used in connection with residential, recreational,  
10 commercial, industrial, or other uses, including parking or other  
11 facilities functionally related or subordinate to such uses, or any  
12 public use specified in a redevelopment plan or project, except that such  
13 disposition shall be at its fair value for uses in accordance with the  
14 redevelopment plan; (e) to acquire real property in a community  
15 redevelopment area which, under the redevelopment plan, is to be repaired  
16 or rehabilitated for dwelling use or related facilities, repair or  
17 rehabilitate the structures, and resell the property; and (f) to carry  
18 out plans for a program of voluntary or compulsory repair,  
19 rehabilitation, or demolition of buildings ~~or other improvements~~ in  
20 accordance with the redevelopment plan;

21 (28) Redevelopment project valuation means the valuation for  
22 assessment of the taxable real property in a redevelopment project last  
23 certified for the year prior to the effective date of the provision  
24 authorized in section 18-2147; and

25 (29) Substandard area means an area in which there is a predominance  
26 of buildings or improvements, whether nonresidential or residential in  
27 character, which, by reason of dilapidation, deterioration, age or  
28 obsolescence, inadequate provision for ventilation, light, air,  
29 sanitation, or open spaces, high density of population and overcrowding,  
30 or the existence of conditions which endanger life or property by fire  
31 and other causes, or any combination of such factors, is conducive to ill

1 health, transmission of disease, infant mortality, juvenile delinquency,  
2 and crime, (which cannot be remedied through construction of prisons),  
3 and is detrimental to the public health, safety, morals, or welfare.

4 ~~(13) Redevelopment plan means a plan, as it exists from time to time~~  
5 ~~for one or more community redevelopment areas, or for a redevelopment~~  
6 ~~project, which (a) conforms to the general plan for the municipality as a~~  
7 ~~whole and (b) is sufficiently complete to indicate such land acquisition,~~  
8 ~~demolition and removal of structures, redevelopment, improvements, and~~  
9 ~~rehabilitation as may be proposed to be carried out in the community~~  
10 ~~redevelopment area, zoning and planning changes, if any, land uses,~~  
11 ~~maximum densities, and building requirements;~~

12 ~~(14) Redeveloper means any person, partnership, or public or private~~  
13 ~~corporation or agency which enters or proposes to enter into a~~  
14 ~~redevelopment contract;~~

15 ~~(15) Redevelopment contract means a contract entered into between an~~  
16 ~~authority and a redeveloper for the redevelopment of an area in~~  
17 ~~conformity with a redevelopment plan;~~

18 ~~(16) Real property means all lands, including improvements and~~  
19 ~~fixtures thereon, and property of any nature appurtenant thereto, or used~~  
20 ~~in connection therewith, and every estate, interest and right, legal or~~  
21 ~~equitable, therein, including terms for years and liens by way of~~  
22 ~~judgment, mortgage, or otherwise, and the indebtedness secured by such~~  
23 ~~liens;~~

24 ~~(17) Bonds means any bonds, including refunding bonds, notes,~~  
25 ~~interim certificates, debentures, or other obligations issued pursuant to~~  
26 ~~the Community Development Law except for bonds issued pursuant to section~~  
27 ~~18-2142.04;~~

28 ~~(18) Obligee means any bondholder, agent, or trustee for any~~  
29 ~~bondholder, or lessor demising to any authority, established pursuant to~~  
30 ~~section 18-2102.01, property used in connection with a redevelopment~~  
31 ~~project, or any assignee or assignees of such lessor's interest or any~~

1 ~~part thereof, and the federal government when it is a party to any~~  
2 ~~contract with such authority;~~

3 ~~(19) Person means any individual, firm, partnership, limited~~  
4 ~~liability company, corporation, company, association, joint-stock~~  
5 ~~association, or body politic and includes any trustee, receiver,~~  
6 ~~assignee, or other similar representative thereof;~~

7 ~~(20) Community redevelopment area means a substandard and blighted~~  
8 ~~area which the community redevelopment authority designates as~~  
9 ~~appropriate for a renewal project;~~

10 ~~(21) Redevelopment project valuation means the valuation for~~  
11 ~~assessment of the taxable real property in a redevelopment project last~~  
12 ~~certified for the year prior to the effective date of the provision~~  
13 ~~authorized in section 18-2147;~~

14 ~~(22) Enhanced employment area means an area not exceeding six~~  
15 ~~hundred acres (a) within a community redevelopment area which is~~  
16 ~~designated by an authority as eligible for the imposition of an~~  
17 ~~occupation tax or (b) not within a community redevelopment area as may be~~  
18 ~~designated under section 18-2142.04;~~

19 ~~(23) Employee means a person employed at a business as a result of a~~  
20 ~~redevelopment project;~~

21 ~~(24) Employer-provided health benefit means any item paid for by the~~  
22 ~~employer in total or in part that aids in the cost of health care~~  
23 ~~services, including, but not limited to, health insurance, health savings~~  
24 ~~accounts, and employer reimbursement of health care costs;~~

25 ~~(25) Equivalent employees means the number of employees computed by~~  
26 ~~(a) dividing the total hours to be paid in a year by (b) the product of~~  
27 ~~forty times the number of weeks in a year;~~

28 ~~(26) Business means any private business located in an enhanced~~  
29 ~~employment area;~~

30 ~~(27) New investment means the value of improvements to real estate~~  
31 ~~made in an enhanced employment area by a developer or a business;~~

1       ~~(28) Number of new employees means the number of equivalent~~  
2       ~~employees that are employed at a business as a result of the~~  
3       ~~redevelopment project during a year that are in excess of the number of~~  
4       ~~equivalent employees during the year immediately prior to the year that a~~  
5       ~~redevelopment plan is adopted; and~~

6       ~~(29) Occupation tax means a tax imposed under section 18-2142.02.~~

7       Sec. 8. Section 18-2104, Reissue Revised Statutes of Nebraska, is  
8       amended to read:

9       18-2104 The governing body of a city, to the greatest extent it  
10       deems to be feasible in carrying out the provisions of the Community  
11       Development Law ~~sections 18-2101 to 18-2144~~, shall afford maximum  
12       opportunity, consistent with the sound needs of the city as a whole, to  
13       the rehabilitation or redevelopment of the community redevelopment area  
14       by private enterprises. The governing body of a city shall give  
15       consideration to this objective in exercising its powers under the  
16       Community Development Law ~~sections 18-2101 to 18-2144~~, including the  
17       formulation of a workable program, the approval of community  
18       redevelopment plans consistent with the general plan for the development  
19       of the city, the exercise of its zoning powers, the enforcement of other  
20       laws, codes, and regulations, relating to the use of land and the use and  
21       occupancy of buildings and improvements, the disposition of any property  
22       acquired, and the providing of necessary public improvements.

23       Sec. 9. Section 18-2107, Reissue Revised Statutes of Nebraska, is  
24       amended to read:

25       18-2107 An authority shall constitute a public body corporate and  
26       politic, exercising public and essential governmental functions and  
27       having all the powers necessary or convenient to carry out and effectuate  
28       the purposes and provisions of the Community Development Law ~~and sections~~  
29       ~~18-2147 to 18-2151~~, including the power:

30       (1) To sue and to be sued; to have a seal and to alter the same at  
31       pleasure; to have perpetual succession; to make and execute contracts and

1 other instruments necessary or convenient to the exercise of the powers  
2 of the authority; and to make and from time to time amend and repeal  
3 bylaws, rules, and regulations not inconsistent with the Community  
4 Development Law;

5 (2) To prepare or cause to be prepared and recommend redevelopment  
6 plans to the governing body of the city and to undertake and carry out  
7 redevelopment projects within its area of operation;

8 (3) To arrange or contract for the furnishing or repair, by any  
9 person or agency, public or private, of services, privileges, works,  
10 streets, roads, public utilities, or other facilities for or in  
11 connection with a redevelopment project; and, notwithstanding anything to  
12 the contrary contained in the Community Development Law or any other  
13 provision of law, to agree to any conditions that it may deem reasonable  
14 and appropriate attached to federal financial assistance and imposed  
15 pursuant to federal law relating to the determination of prevailing  
16 salaries or wages or compliance with labor standards, in the undertaking  
17 or carrying out of a redevelopment project, and to include in any  
18 contract let in connection with such a project provisions to fulfill such  
19 federally imposed conditions as it may deem reasonable and appropriate;

20 (4) Within its area of operation, to purchase, lease, obtain options  
21 upon, or acquire by gift, grant, bequest, devise, eminent domain, or  
22 otherwise any real or personal property or any interest therein, together  
23 with any improvements thereon, necessary or incidental to a redevelopment  
24 project; to hold, improve, clear, or prepare for redevelopment any such  
25 property; to sell, lease for a term not exceeding ninety-nine years,  
26 exchange, transfer, assign, subdivide, retain for its own use, mortgage,  
27 pledge, hypothecate, or otherwise encumber or dispose of any real or  
28 personal property or any interest therein; to enter into contracts with  
29 redevelopers of property containing covenants, restrictions, and  
30 conditions regarding the use of such property for residential,  
31 commercial, industrial, or recreational purposes or for public purposes

1 in accordance with the redevelopment plan and such other covenants,  
2 restrictions, and conditions as the authority may deem necessary to  
3 prevent a recurrence of substandard and blighted areas or to effectuate  
4 the purposes of the Community Development Law; to make any of the  
5 covenants, restrictions, or conditions of the foregoing contracts  
6 covenants running with the land and to provide appropriate remedies for  
7 any breach of any such covenants or conditions, including the right in  
8 the authority to terminate such contracts and any interest in the  
9 property created pursuant thereto; to borrow money, issue bonds, and  
10 provide security for loans or bonds; to establish a revolving loan fund;  
11 to insure or provide for the insurance of any real or personal property  
12 or the operation of the authority against any risks or hazards, including  
13 the power to pay premiums on any such insurance; to enter into any  
14 contracts necessary to effectuate the purposes of the Community  
15 Development Law; and to provide grants, loans, or other means of  
16 financing to public or private parties in order to accomplish the  
17 rehabilitation or redevelopment in accordance with a redevelopment plan,  
18 except that the proceeds from indebtedness incurred for the purpose of  
19 financing a redevelopment project that includes the division of taxes as  
20 provided in section 18-2147 shall not be used to establish a revolving  
21 loan fund. No statutory provision with respect to the acquisition,  
22 clearance, or disposition of property by other public bodies shall  
23 restrict an authority exercising powers hereunder, in such functions,  
24 unless the Legislature shall specifically so state;

25 (5) To invest any funds held in reserves or sinking funds or any  
26 funds not required for immediate disbursement in property or securities  
27 in which savings banks or other banks may legally invest funds subject to  
28 their control; and to redeem its bonds at the redemption price  
29 established therein or to purchase its bonds at less than redemption  
30 price, and such bonds redeemed or purchased shall be canceled;

31 (6) To borrow money and to apply for and accept advances, loans,



1 grants, contributions, and any other form of financial assistance from  
2 the federal government, from the state, county, municipality, or other  
3 public body, or from any sources, public or private, including charitable  
4 funds, foundations, corporations, trusts, or bequests, for purposes of  
5 the Community Development Law, to give such security as may be required,  
6 and to enter into and carry out contracts in connection therewith; and  
7 notwithstanding any other provision of law, to include in any contract  
8 for financial assistance with the federal government for a redevelopment  
9 project such conditions imposed pursuant to federal law as the authority  
10 may deem reasonable and appropriate and which are not inconsistent with  
11 the purposes of the Community Development Law;

12 (7) Acting through one or more members of an authority or other  
13 persons designated by the authority, to conduct examinations and  
14 investigations and to hear testimony and take proof under oath at public  
15 or private hearings on any matter material for its information; to  
16 administer oaths and to issue commissions for the examination of  
17 witnesses who are outside of the state or unable to attend before the  
18 authority or excused from attendance; and to make available to  
19 appropriate agencies or public officials, including those charged with  
20 the duty of abating or requiring the correction of nuisances or like  
21 conditions, demolishing unsafe or insanitary structures, or eliminating  
22 conditions of blight within its area of operation, its findings and  
23 recommendations with regard to any building or property where conditions  
24 exist which are dangerous to the public health, safety, morals, or  
25 welfare;

26 (8) Within its area of operation, to make or have made all surveys,  
27 appraisals, studies, and plans, but not including the preparation of a  
28 general plan for the community, necessary to the carrying out of the  
29 purposes of the Community Development Law and to contract or cooperate  
30 with any and all persons or agencies, public or private, in the making  
31 and carrying out of such surveys, appraisals, studies, and plans;

1 (9) To prepare plans and provide reasonable assistance for the  
2 relocation of families, business concerns, and others displaced from a  
3 redevelopment project area to permit the carrying out of the  
4 redevelopment project to the extent essential for acquiring possession of  
5 and clearing such area or parts thereof; and to make relocation payments  
6 to or with respect to such persons for moving expenses and losses of  
7 property for which reimbursement or compensation is not otherwise made,  
8 including the making of such payments financed by the federal government;

9 (10) To make such expenditures as may be necessary to carry out the  
10 purposes of the Community Development Law; and to make expenditures from  
11 funds obtained from the federal government without regard to any other  
12 laws pertaining to the making and approval of appropriations and  
13 expenditures;

14 (11) To certify on or before September 20 of each year to the  
15 governing body of the city the amount of tax to be levied for the  
16 succeeding fiscal year for community redevelopment purposes, not to  
17 exceed two and six-tenths cents on each one hundred dollars upon the  
18 taxable value of the taxable property in such city, which levy is subject  
19 to allocation under section 77-3443 on and after July 1, 1998. The  
20 governing body shall levy and collect the taxes so certified at the same  
21 time and in the same manner as other city taxes are levied and collected,  
22 and the proceeds of such taxes, when due and as collected, shall be set  
23 aside and deposited in the special account or accounts in which other  
24 revenue of the authority is deposited. Such proceeds shall be employed to  
25 assist in the defraying of any expenses of redevelopment plans and  
26 projects, including the payment of principal and interest on any bonds  
27 issued to pay the costs of any such plans and projects;

28 (12) To exercise all or any part or combination of powers granted in  
29 this section;

30 (13) To plan, undertake, and carry out neighborhood development  
31 programs consisting of redevelopment project undertakings and activities

1 in one or more community redevelopment areas which are planned and  
2 carried out on the basis of annual increments in accordance with the  
3 Community Development Law ~~and sections 18-2145 and 18-2146~~ for planning  
4 and carrying out redevelopment projects;

5 (14) To agree with the governing body of the city for the imposition  
6 of an occupation tax for an enhanced employment area; and

7 (15) To demolish any structure determined by the governing body of  
8 the city to be unsafe or unfit for human occupancy in accordance with  
9 section 18-1722.01.

10 Sec. 10. Section 18-2109, Reissue Revised Statutes of Nebraska, is  
11 amended to read:

12 18-2109 (1) An authority shall not prepare a redevelopment plan for  
13 a redevelopment project area unless the governing body of the city in  
14 which such area is located has, by resolution adopted after the public  
15 hearings required under this section a public hearing with notice  
16 provided as specified in section 18-2115, declared such area to be a  
17 substandard and blighted area in need of redevelopment.

18 (2) Prior to making such declaration, the ~~The~~ governing body of the  
19 city shall conduct a study or an analysis on whether the area is  
20 substandard and blighted and shall submit the question of whether such an  
21 area is substandard and blighted to the planning commission or board of  
22 the city for its review and recommendation ~~prior to making its~~  
23 declaration. The planning commission or board shall hold a public hearing  
24 on the question after giving notice of the hearing as provided in section  
25 13 of this act. Such notice shall include a map of sufficient size to  
26 show the area to be declared substandard and blighted or information on  
27 where to find such map and shall provide information on where to find  
28 copies of the substandard and blighted study or analysis conducted  
29 pursuant to this subsection. The planning commission or board shall  
30 submit its written recommendations to the governing body of the city  
31 within thirty days after the public hearing receipt of the request. Upon

1 ~~receipt of the recommendations or after thirty days if no recommendation~~  
2 ~~is received, the governing body may make its declaration.~~

3 (3) Upon receipt of the recommendations of the planning commission  
4 or board, or if no recommendations are received within thirty days after  
5 the public hearing required under subsection (2) of this section, the  
6 governing body shall hold a public hearing on the question of whether the  
7 area is substandard and blighted after giving notice of the hearing as  
8 provided in section 13 of this act. Such notice shall include a map of  
9 sufficient size to show the area to be declared substandard and blighted  
10 or information on where to find such map and shall provide information on  
11 where to find copies of the substandard and blighted study or analysis  
12 conducted pursuant to subsection (2) of this section. At the public  
13 hearing, all interested parties shall be afforded a reasonable  
14 opportunity to express their views respecting the proposed declaration.  
15 After such hearing, the governing body of the city may make its  
16 declaration.

17 (4) Copies of each substandard and blighted study or analysis  
18 conducted pursuant to subsection (2) of this section shall be posted on  
19 the city's public web site or made available for public inspection at a  
20 location designated by the city.

21 Sec. 11. Section 18-2113, Reissue Revised Statutes of Nebraska, is  
22 amended to read:

23 18-2113 (1) Prior to recommending a redevelopment plan to the  
24 governing body for approval, an authority shall consider whether the  
25 proposed land uses and building requirements in the redevelopment project  
26 area are designed with the general purpose of accomplishing, in  
27 conformance with the general plan, a coordinated, adjusted, and  
28 harmonious development of the city and its environs which will, in  
29 accordance with present and future needs, promote health, safety, morals,  
30 order, convenience, prosperity, and the general welfare, as well as  
31 efficiency and economy in the process of development, including, among

1 other things, adequate provision for traffic, vehicular parking, the  
2 promotion of safety from fire, panic, and other dangers, adequate  
3 provision for light and air, the promotion of the healthful and  
4 convenient distribution of population, the provision of adequate  
5 transportation, water, sewerage, and other public utilities, schools,  
6 parks, recreational and community facilities, and other public  
7 requirements, the promotion of sound design and arrangement, the wise and  
8 efficient expenditure of public funds, and the prevention of the  
9 recurrence of insanitary or unsafe dwelling accommodations or conditions  
10 of blight.

11 (2) The authority shall conduct a cost-benefit analysis for each  
12 redevelopment project whose redevelopment plan includes the division of  
13 taxes as provided in use of funds authorized by section 18-2147. In  
14 conducting the cost-benefit analysis, the authority shall use a cost-  
15 benefit model developed for use by local projects. Any cost-benefit model  
16 used by the authority shall consider and analyze the following factors:

17 (a) Tax shifts resulting from the division of taxes as provided in  
18 approval of the use of funds pursuant to section 18-2147;

19 (b) Public infrastructure and community public service needs impacts  
20 and local tax impacts arising from the approval of the redevelopment  
21 project;

22 (c) Impacts on employers and employees of firms locating or  
23 expanding within the boundaries of the area of the redevelopment project;

24 (d) Impacts on other employers and employees within the city or  
25 village and the immediate area that are located outside of the boundaries  
26 of the area of the redevelopment project; ~~and~~

27 (e) Impacts on the student populations of school districts within  
28 the city or village; and

29 (f) (e) Any other impacts determined by the authority to be relevant  
30 to the consideration of costs and benefits arising from the redevelopment  
31 project.

1       (3) Copies of each cost-benefit analysis conducted pursuant to  
2 subsection (2) of this section shall be posted on the city's public web  
3 site or made available for public inspection at a location designated by  
4 the city.

5       Sec. 12. Section 18-2115, Revised Statutes Cumulative Supplement,  
6 2016, is amended to read:

7       18-2115 (1) The planning commission or board of the city shall hold  
8 a public hearing on any redevelopment plan or substantial modification  
9 thereof after giving notice of the hearing as provided in section 13 of  
10 this act. Such notice shall specifically identify the area to be  
11 redeveloped under the plan, shall include a map of sufficient size to  
12 show the area to be redeveloped or information on where to find such map,  
13 and shall provide information on where to find copies of any cost-benefit  
14 analysis conducted pursuant to section 18-2113.

15       (2) After the hearing required under subsection (1) of this section,  
16 the (1) The governing body of the city shall hold a public hearing on any  
17 redevelopment plan or substantial modification thereof recommended by the  
18 authority, after giving reasonable public notice of the hearing as  
19 provided in section 13 of this act. Such notice thereof by publication at  
20 least once a week for two consecutive weeks in a legal newspaper of  
21 general circulation in the community, the time of the hearing to be at  
22 least ten days from the last publication. The notice shall describe the  
23 time, date, place, and purpose of the hearing and shall specifically  
24 identify the area to be redeveloped under the plan, . All interested  
25 parties shall be afforded at such public hearing a reasonable opportunity  
26 to express their views respecting the proposed redevelopment plan.(2)  
27 Except as provided in subsection (3) of this section, the governing body  
28 of the city or such other division of the city or person as the governing  
29 body shall designate shall, at least ten days prior to the public hearing  
30 required by subsection (1) of this section, provide notice of the hearing  
31 to each registered neighborhood association whose area of representation

1 ~~is located in whole or in part within a one-mile radius of the area to be~~  
2 ~~redeveloped in the manner requested by the association and mail notice of~~  
3 ~~the hearing by first-class United States mail, postage prepaid, or by~~  
4 ~~certified mail to the president or chairperson of the governing body of~~  
5 ~~each county, school district, community college, educational service~~  
6 ~~unit, and natural resources district in which the real property subject~~  
7 ~~to such plan or major modification is located and whose property tax~~  
8 ~~receipts would be directly affected. The notice shall set out the time,~~  
9 ~~date, place, and purpose of the hearing and shall include a map of~~  
10 ~~sufficient size to show the area to be redeveloped or information on~~  
11 ~~where to find such map, and shall provide information on where to find~~  
12 ~~copies of any cost-benefit analysis conducted pursuant to section~~  
13 ~~18-2113. At the public hearing, all interested parties shall be afforded~~  
14 ~~a reasonable opportunity to express their views respecting the proposed~~  
15 ~~redevelopment plan.~~

16 (3) ~~If the planning board or planning commission of the city will~~  
17 ~~conduct a public hearing on the redevelopment plan or substantial~~  
18 ~~modification thereof, the governing body of the city or such other~~  
19 ~~division of the city or person as the governing body shall designate~~  
20 ~~shall, at least ten days prior to the public hearing, provide notice of~~  
21 ~~the hearing to each registered neighborhood association whose area of~~  
22 ~~representation is located in whole or in part within a one-mile radius of~~  
23 ~~the area to be redeveloped in the manner requested by the association and~~  
24 ~~mail notice of the hearing by first-class United States mail, postage~~  
25 ~~prepaid, or by certified mail to the president or chairperson of the~~  
26 ~~governing body of each county, school district, community college,~~  
27 ~~educational service unit, and natural resources district in which the~~  
28 ~~real property subject to such plan or major modification is located and~~  
29 ~~whose property tax receipts would be directly affected. The notice shall~~  
30 ~~set out the time, date, place, and purpose of the hearing and shall~~  
31 ~~include a map of sufficient size to show the area to be redeveloped. If~~

1 ~~the registered neighborhood association has been given notice of the~~  
2 ~~public hearing to be held by the planning board or planning commission in~~  
3 ~~conformity with the provisions of this subsection, the governing body or~~  
4 ~~its designee shall not be required to comply with the notice requirements~~  
5 ~~of subsection (2) of this section.~~

6 ~~(4) Each neighborhood association desiring to receive notice of any~~  
7 ~~hearing as provided in this section shall register with the city's~~  
8 ~~planning department or, if there is no planning department, with the city~~  
9 ~~clerk. The registration shall include a description of the area of~~  
10 ~~representation of the association, the name of and contact information~~  
11 ~~for the individual designated by the association to receive the notice on~~  
12 ~~its behalf, and the requested manner of service, whether by email or~~  
13 ~~regular, certified, or registered mail. Registration of the neighborhood~~  
14 ~~association for the purposes of this section shall be accomplished in~~  
15 ~~accordance with such other rules and regulations as may be adopted and~~  
16 ~~promulgated by the city.~~

17 Sec. 13. (1) Public notice of any hearing required under section  
18 18-2109 or 18-2115 shall be given by publication at least once a week for  
19 two consecutive weeks in a legal newspaper in or of general circulation  
20 in the community. The time of the hearing shall be at least ten days from  
21 the last publication.

22 (2)(a) Notice of any hearing required under section 18-2109 or  
23 18-2115 shall be given to neighborhood associations that have registered  
24 under subsection (5) of this section as follows:

25 (i) For a hearing under section 18-2109, notice shall be given to  
26 each registered neighborhood association whose area of representation is  
27 located in whole or in part within a one-mile radius of the area to be  
28 declared substandard and blighted; and

29 (ii) For a hearing under section 18-2115, notice shall be given to  
30 each registered neighborhood association whose area of representation is  
31 located in whole or in part within a one-mile radius of the area to be



1 redeveloped.

2 (b) Notice under this subsection shall be given at least ten days  
3 prior to the hearing in the manner requested by the neighborhood  
4 association. The notice shall be deemed given on the date it is sent.

5 (3)(a) Notice of any hearing required under section 18-2109 or  
6 18-2115 shall be given to political subdivisions as follows:

7 (i) For a hearing under section 18-2109, notice shall be given to  
8 the president or chairperson of the governing body of each county, school  
9 district, community college area, educational service unit, and natural  
10 resources district in which the real property to be declared substandard  
11 and blighted is located; and

12 (ii) For a hearing under section 18-2115, notice shall be given to  
13 the president or chairperson of the governing body of each county, school  
14 district, community college area, educational service unit, and natural  
15 resources district in which the real property subject to the  
16 redevelopment plan or substantial modification thereof is located.

17 (b) Notice under this subsection shall be given at least ten days  
18 prior to the hearing by certified mail, return receipt requested. The  
19 notice shall be deemed given on the date it is mailed by certified mail.

20 (4) All notices given under this section shall describe the time,  
21 date, place, and purpose of the hearing.

22 (5) Each neighborhood association desiring to receive notice of any  
23 hearing required under section 18-2109 or 18-2115 shall register with the  
24 city's planning department or, if there is no planning department, with  
25 the city clerk. The registration shall include a description of the area  
26 of representation of the association, the name of and contact information  
27 for the individual designated by the association to receive the notice on  
28 its behalf, and the requested manner of service, whether by email, first-  
29 class mail, or certified mail. Registration of the neighborhood  
30 association for purposes of this section shall be accomplished in  
31 accordance with such other rules and regulations as may be adopted and

1 promulgated by the city.

2       Sec. 14. Section 18-2116, Reissue Revised Statutes of Nebraska, is  
3 amended to read:

4       18-2116 (1) Following the public hearings required under section  
5 18-2115 such hearing, the governing body may approve a redevelopment plan  
6 if (a) it finds and documents in writing that the plan is feasible and in  
7 conformity with the general plan for the development of the city as a  
8 whole and the plan is in conformity with the legislative declarations and  
9 determinations set forth in the Community Development Law and (b) it  
10 finds and documents in writing that, if the plan uses funds authorized in  
11 section 18-2147, (i) the redevelopment project in the plan would not be  
12 economically feasible without the use of tax-increment financing, (ii)  
13 the redevelopment project would not occur in the community redevelopment  
14 area without the use of tax-increment financing, and (iii) the costs and  
15 benefits of the redevelopment project, including costs and benefits to  
16 other affected political subdivisions, the economy of the community, and  
17 the demand for public and private services have been analyzed by the  
18 governing body and have been found to be in the long-term best interest  
19 of the community impacted by the redevelopment project.

20       (2) In connection with the approval of any redevelopment plan which  
21 includes the designation of an enhanced employment area, the governing  
22 body may approve the redevelopment plan if it determines that any new  
23 investment within such enhanced employment area will result in at least  
24 (a) two new employees and new investment of one hundred twenty-five  
25 thousand dollars in counties with fewer than fifteen thousand  
26 inhabitants, (b) five new employees and new investment of two hundred  
27 fifty thousand dollars in counties with at least fifteen thousand  
28 inhabitants but fewer than twenty-five thousand inhabitants, (c) ten new  
29 employees and new investment of five hundred thousand dollars in counties  
30 with at least twenty-five thousand inhabitants but fewer than fifty  
31 thousand inhabitants, (d) fifteen new employees and new investment of one

1 million dollars in counties with at least fifty thousand inhabitants but  
2 fewer than one hundred thousand inhabitants, (e) twenty new employees and  
3 new investment of one million five hundred thousand dollars in counties  
4 with at least one hundred thousand inhabitants but fewer than two hundred  
5 thousand inhabitants, (f) twenty-five new employees and new investment of  
6 two million dollars in counties with at least two hundred thousand  
7 inhabitants but fewer than four hundred thousand inhabitants, or (g)  
8 thirty new employees and new investment of three million dollars in  
9 counties with at least four hundred thousand inhabitants. Any business  
10 that has one hundred thirty-five thousand square feet or more and annual  
11 gross sales of ten million dollars or more shall provide an employer-  
12 provided health benefit of at least three thousand dollars annually to  
13 all new employees who are working thirty hours per week or more on  
14 average and have been employed at least six months. In making such  
15 determination, the governing body may rely upon written undertakings  
16 provided by any redeveloper in connection with application for approval  
17 of the redevelopment plan.

18 Sec. 15. Section 18-2117.01, Reissue Revised Statutes of Nebraska,  
19 is amended to read:

20 18-2117.01 (1) On or before December 1 each year, each city which  
21 has approved one or more redevelopment plans which are financed in whole  
22 or in part through the division of taxes ~~use of tax-increment financing~~  
23 as provided in section 18-2147 shall provide a report to the Property Tax  
24 Administrator on each such redevelopment plan which includes the  
25 following information:

26 (a) A copy of the redevelopment plan and any amendments thereto ~~if~~  
27 ~~they have not been previously filed~~, including the date upon which the  
28 redevelopment plan was approved, the effective date for dividing the ad  
29 valorem tax as provided to the county assessor pursuant to subsection (4)  
30 (3) of section 18-2147, and the location and boundaries of the property  
31 in the redevelopment project; and

1 (b) A short narrative description of the type of development  
2 undertaken by the city or village with the financing and the type of  
3 business or commercial activity locating within the redevelopment project  
4 area as a result of the redevelopment project.

5 (2) The report required under subsection (1) of this section must be  
6 filed each year, regardless of whether the information in the report has  
7 changed, except that a city is not required to refile a copy of the  
8 redemption plan or an amendment thereto if such copy or amendment has  
9 previously been filed.

10 (3) ~~(2)~~ The Property Tax Administrator shall compile a report for  
11 each active redevelopment project, based upon information provided by the  
12 cities pursuant to subsection (1) of this section and information  
13 reported by the county assessor or county clerk on the certificate of  
14 taxes levied pursuant to section 77-1613.01. Each report shall be  
15 electronically transmitted to the Clerk of the Legislature not later than  
16 March 1 each year. The report may include any recommendations of the  
17 Property Tax Administrator as to what other information should be  
18 included in the report from the cities so as to facilitate analysis of  
19 the uses, purposes, and effectiveness of tax-increment financing and the  
20 process for its implementation or to streamline the reporting process  
21 provided for in this section to eliminate unnecessary paperwork.

22 Sec. 16. On or before May 1 of each year, each authority, or such  
23 other division or department of the city as designated by the governing  
24 body, shall compile information regarding the approval and progress of  
25 redemption projects that are financed in whole or in part through the  
26 division of taxes as provided in section 18-2147 and report such  
27 information to the governing body of the city and to the governing body  
28 of each county, school district, community college area, educational  
29 service unit, and natural resources district whose property taxes are  
30 affected by such division of taxes. The report shall include, but not be  
31 limited to, the following information:

1       (1) The total number of redevelopment projects within the city that  
2 have been financed in whole or in part through the division of taxes as  
3 provided in section 18-2147;

4       (2) The total estimated project costs for all such redevelopment  
5 projects;

6       (3) A comparison between the initial projected valuation of property  
7 included in each such redevelopment project as described in the  
8 redevelopment contract and the assessed value of the property included in  
9 each such redevelopment project as of January 1 of the year of the  
10 report;

11       (4) The number of such redevelopment projects for which financing  
12 has been paid in full during the previous calendar year and for which  
13 taxes are no longer being divided pursuant to section 18-2147;

14       (5) The number of such redevelopment projects approved by the  
15 governing body in the previous calendar year;

16       (6) Information specific to each such redevelopment project approved  
17 by the governing body in the previous calendar year, including the  
18 project area, project type, amount of financing approved, and total  
19 estimated project costs; and

20       (7) The percentage of the city that has been designated as blighted.

21       Sec. 17. A redevelopment project that includes the division of  
22 taxes as provided in section 18-2147 shall not provide for the  
23 reimbursement of costs incurred prior to approval of the redevelopment  
24 project, except for costs relating to:

25       (1) The preparation of materials and applications related to the  
26 redevelopment project;

27       (2) The preparation of a cost-benefit analysis conducted pursuant to  
28 section 18-2113;

29       (3) The preparation of a redevelopment contract;

30       (4) The preparation of bond and other financing instruments;

31       (5) Land acquisition and related due diligence activities,

1 including, but not limited to, surveys and environmental studies; and

2 (6) Site demolition and preparation.

3 Sec. 18. (1) On and after October 1, 2018, each city that has  
4 approved one or more redevelopment plans or redevelopment projects that  
5 are financed in whole or in part through the division of taxes as  
6 provided in section 18-2147 shall retain copies of (a) all such  
7 redevelopment plans and (b) all supporting documents associated with the  
8 redevelopment plans or redevelopment projects and with any related  
9 substandard and blighted declaration under section 18-2109 that are  
10 received or generated by the city.

11 (2) The city shall retain the redevelopment plans and supporting  
12 documents described in subsection (1) of this section for the period of  
13 time required under any applicable records retention schedule adopted  
14 under the Records Management Act or for three years following the end of  
15 the last fiscal year in which ad valorem taxes are divided, whichever  
16 period is longer.

17 (3) For purposes of this section, supporting document includes any  
18 substandard and blighted study or analysis conducted pursuant to section  
19 18-2109, any cost-benefit analysis conducted pursuant to section 18-2113,  
20 and any invoice, receipt, claim, or contract received or generated by the  
21 city that provides support for receipts or payments associated with the  
22 redevelopment plan or redevelopment project.

23 Sec. 19. Section 18-2119, Revised Statutes Cumulative Supplement,  
24 2016, is amended to read:

25 18-2119 (1) An authority shall, by public notice by publication once  
26 each week for two consecutive weeks in a legal newspaper having a general  
27 circulation in the city, prior to the consideration of any redevelopment  
28 contract proposal relating to real estate owned or to be owned by the  
29 authority, invite proposals from, and make available all pertinent  
30 information to, private redevelopers or any persons interested in  
31 undertaking the redevelopment of an area, or any part thereof, which the

1 governing body has declared to be in need of redevelopment. Such notice  
2 shall identify the area, and shall state that such further information as  
3 is available may be obtained at the office of the authority. The  
4 authority shall consider all redevelopment proposals and the financial  
5 and legal ability of the prospective redevelopers to carry out their  
6 proposals and may negotiate with any redevelopers for proposals for the  
7 purchase or lease of any real property in the redevelopment project area.  
8 The authority may accept such redevelopment contract proposal as it deems  
9 to be in the public interest and in furtherance of the purposes of the  
10 Community Development Law if the authority has, not less than thirty days  
11 prior thereto, notified the governing body in writing of its intention to  
12 accept such redevelopment contract proposal. Thereafter, the authority  
13 may execute such redevelopment contract in accordance with the provisions  
14 of section 18-2118 and deliver deeds, leases, and other instruments and  
15 take all steps necessary to effectuate such redevelopment contract. In  
16 its discretion, the authority may, without regard to the foregoing  
17 provisions of this section, dispose of real property in a redevelopment  
18 project area to private redevelopers for redevelopment under such  
19 reasonable competitive bidding procedures as it shall prescribe, subject  
20 to the provisions of section 18-2118.

21 (2) In the case of any real estate owned by a redeveloper, the  
22 authority may enter into a redevelopment contract providing for such  
23 undertakings as the authority shall determine appropriate. Any such  
24 redevelopment contract relating to real estate within an enhanced  
25 employment area shall include a statement of the redeveloper's consent  
26 with respect to the designation of the area as an enhanced employment  
27 area, shall be recorded with respect to the real estate owned by the  
28 redeveloper, and shall be binding upon all future owners of such real  
29 estate.

30 (3)(a) Prior to entering into a redevelopment contract pursuant to  
31 this section for a redevelopment plan that includes the division of taxes

1 ~~use of tax-increment financing~~ as provided in section 18-2147, the  
2 authority shall require the redeveloper to certify the following to the  
3 authority:

4 (i) Whether the redeveloper has filed or intends to file an  
5 application with the Department of Revenue to receive tax incentives  
6 under the Nebraska Advantage Act for a project located or to be located  
7 within the redevelopment project area;

8 (ii) Whether such application includes or will include, as one of  
9 the tax incentives, a refund of the city's local option sales tax  
10 revenue; and

11 (iii) Whether such application has been approved under the Nebraska  
12 Advantage Act.

13 (b) The authority may consider the information provided under  
14 subdivision (3)(a) of this section in determining whether to enter into  
15 the redevelopment contract.

16 (4) A redevelopment contract for a redevelopment plan or  
17 redevelopment project that includes the division of taxes as provided in  
18 section 18-2147 shall include a provision requiring that the redeveloper  
19 retain copies of all supporting documents that are associated with the  
20 redevelopment plan or redevelopment project and that are received or  
21 generated by the redeveloper for three years following the end of the  
22 last fiscal year in which ad valorem taxes are divided and provide such  
23 copies to the city as needed to comply with the city's retention  
24 requirements under section 18 of this act. For purposes of this  
25 subsection, supporting document includes any cost-benefit analysis  
26 conducted pursuant to section 18-2113 and any invoice, receipt, claim, or  
27 contract received or generated by the redeveloper that provides support  
28 for receipts or payments associated with the division of taxes.

29 (5) A redevelopment contract for a redevelopment plan that includes  
30 the division of taxes as provided in section 18-2147 may include a  
31 provision requiring that all ad valorem taxes levied upon real property



1 in a redevelopment project be paid before the taxes become delinquent in  
2 order for such redevelopment project to receive funds from such division  
3 of taxes.

4 Sec. 20. Section 18-2122, Reissue Revised Statutes of Nebraska, is  
5 amended to read:

6 18-2122 An authority shall have the right to acquire by the exercise  
7 of the power of eminent domain any real property which it may deem  
8 necessary for a redevelopment project or for its purposes under the  
9 Community Development Law provisions of sections 18-2101 to 18-2144 after  
10 the adoption by it of a resolution declaring that the acquisition of the  
11 real property described therein is necessary for such purposes. The  
12 procedure to condemn property shall be exercised in the manner set forth  
13 in sections 76-704 to 76-724.

14 When an authority has found and determined by resolution that  
15 certain real property described therein is necessary for a redevelopment  
16 project or for its purposes under the Community Development Law  
17 ~~provisions of sections 18-2101 to 18-2144~~, the resolution shall be  
18 conclusive evidence that the acquisition of such real property is  
19 necessary for the purposes described therein.

20 Sec. 21. Section 18-2125, Reissue Revised Statutes of Nebraska, is  
21 amended to read:

22 18-2125 Neither the members of an authority nor any person executing  
23 the bonds shall be liable personally on the bonds by reason of the  
24 issuance thereof. The bonds and other obligations of the authority, and  
25 such bonds and obligations shall so state on their face, shall not be a  
26 debt of the city and the city shall not be liable on such bonds, except  
27 to the extent authorized by sections 18-2147 to 18-2150, nor in any event  
28 shall such bonds or obligations be payable out of any funds or properties  
29 other than those of said authority acquired for the purposes of the  
30 Community Development Law sections 18-2101 to 18-2144, except to the  
31 extent authorized by sections 18-2147 to 18-2150. Except to the extent

1 otherwise authorized, the bonds shall not constitute an indebtedness  
2 within the meaning of any constitutional or statutory debt limitation or  
3 restriction. Bonds of an authority are declared to be issued for an  
4 essential public and governmental purpose and to be public  
5 instrumentalities and, together with interest thereon and income  
6 therefrom, shall be exempt from all taxes. All bonds shall be general  
7 obligations of the authority issuing same and shall be payable out of any  
8 revenue, income, receipts, proceeds, or other money of the authority,  
9 except as may be otherwise provided in the instruments themselves.

10 An authority shall have power from time to time to issue bond  
11 anticipation notes, referred to as notes herein, and from time to time to  
12 issue renewal notes, such notes in any case to mature not later than  
13 thirty months from the date of incurring the indebtedness represented  
14 thereby in an amount not exceeding in the aggregate at any time  
15 outstanding the amount of bonds then or theretofore authorized. Payment  
16 of such notes shall be made from any money or revenue which the authority  
17 may have available for such purpose or from the proceeds of the sale of  
18 bonds of the authority, or such notes may be exchanged for a like amount  
19 of such bonds. The authority may pledge such money or revenue of the  
20 authority, subject to prior pledges thereof, if any, for the payment of  
21 such notes, and may in addition secure the notes in the same manner as  
22 herein provided for bonds. All notes shall be issued and sold in the same  
23 manner as bonds, and any authority shall have power to make contracts for  
24 the future sale from time to time of notes on terms and conditions stated  
25 in such contracts, and the authority shall have power to pay such  
26 consideration as it shall deem proper for any commitments to purchase  
27 notes and bonds in the future. Such notes shall also be collaterally  
28 secured by pledges and deposits with a bank or trust company, in trust  
29 for the payment of such notes, of bonds in an aggregate amount at least  
30 equal to the amount of such notes and, in any event, in an amount deemed  
31 by the issuing authority sufficient to provide for the payment of the

1 notes in full at the maturity thereof. The authority may provide in the  
2 collateral agreement that the notes may be exchanged for bonds held as  
3 collateral security for the notes, or that the trustee may sell the bonds  
4 if the notes are not otherwise paid at maturity, and apply the proceeds  
5 of such sale to the payment of the notes. Such notes shall bear interest  
6 at a rate set by the authority, and shall be sold at such price as shall  
7 cause an interest cost thereon not to exceed such rate.

8 It is the intention hereof that any pledge of revenue, income,  
9 receipts, proceeds, or other money made by an authority for the payment  
10 of bonds or notes shall be valid and binding from the time such pledge is  
11 made; that the revenue, income, receipts, proceeds, and other money so  
12 pledged and thereafter received by the authority shall immediately be  
13 subject to the lien of such pledge without the physical delivery thereof  
14 or further act, and that the lien of any such pledge shall be valid and  
15 binding as against all parties having claims of any kind in tort,  
16 contract, or otherwise against the authority irrespective of whether such  
17 parties have notice thereof. Neither the resolution nor any other  
18 instrument by which a pledge is created need be recorded.

19 Sec. 22. Section 18-2127, Reissue Revised Statutes of Nebraska, is  
20 amended to read:

21 18-2127 The bonds may be sold by the authority in such manner and  
22 for such price as the authority may determine, at par or above par, at  
23 private sale or at public sale after notice published prior to such sale  
24 in a legal newspaper having general circulation in the municipality, or  
25 in such other medium of publication as the authority may deem  
26 appropriate, or may be exchanged by the authority for other bonds issued  
27 by it under the Community Development Law ~~sections 18-2101 to 18-2144 and~~  
28 ~~18-2147 to 18-2151~~. Bonds which are issued under this section may be sold  
29 by the authority to the federal government at private sale at par or  
30 above par, and, in the event that less than all of the authorized  
31 principal amount of such bonds is sold by the authority to the federal

1 government, the balance or any portion of the balance may be sold by the  
2 authority at private sale at par or above par.

3 Sec. 23. Section 18-2129, Reissue Revised Statutes of Nebraska, is  
4 amended to read:

5 18-2129 In any suit, action, or proceedings involving the validity  
6 or enforceability of any bond of an authority or the security therefor,  
7 any such bond reciting in substance that it has been issued by the  
8 authority to aid in financing a redevelopment project, as herein defined,  
9 shall be conclusively deemed to have been issued for such purpose and  
10 such project shall be conclusively deemed to have been planned, located,  
11 and carried out in accordance with the purposes and provisions of the  
12 Community Development Law ~~sections 18-2101 to 18-2144.~~

13 Sec. 24. Section 18-2133, Reissue Revised Statutes of Nebraska, is  
14 amended to read:

15 18-2133 An obligee of an authority shall have the right in addition  
16 to all other rights which may be conferred upon such obligee, subject  
17 only to any contractual restrictions binding upon such obligee:

18 (1) By mandamus, suit, action, or proceeding at law or in equity to  
19 compel said authority and the members, officers, agents, or employees  
20 thereof to perform each and every term, provision, and covenant contained  
21 in any contract of said authority with or for the benefit of such  
22 obligee, and to require the carrying out of any or all such covenants and  
23 agreements to the authority and the fulfillment of all duties imposed  
24 upon the authority by the Community Development Law ~~provisions of~~  
25 ~~sections 18-2101 to 18-2144;~~ and

26 (2) By suit, action, or proceeding in equity to enjoin any acts or  
27 things which may be unlawful, or the violation of any of the rights of  
28 such obligee of the authority.

29 Sec. 25. Section 18-2134, Reissue Revised Statutes of Nebraska, is  
30 amended to read:

31 18-2134 All public officers, municipal corporations, political

1 subdivisions, and public bodies; all banks, trust companies, bankers,  
2 savings banks and institutions, building and loan associations, savings  
3 and loan associations, investment companies, and other persons carrying  
4 on a banking business; all insurance companies, insurance associations,  
5 and other persons carrying on an insurance business; and all executors,  
6 administrators, curators, trustees, and other fiduciaries may legally  
7 invest any sinking funds, money, or other funds belonging to them or  
8 within their control in any bonds or other obligations issued by an  
9 authority pursuant to the Community Development Law sections 18-2101 to  
10 ~~18-2144~~ or by any public housing or redevelopment authority or  
11 commission, or agency or any other public body in the United States for  
12 redevelopment purposes, when such bonds and other obligations are secured  
13 by an agreement between the issuing agency and the federal government in  
14 which the issuing agency agrees to borrow from the federal government and  
15 the federal government agrees to lend to the issuing agency, prior to the  
16 maturity of such bonds or other obligations, money in an amount which,  
17 together with any other money irrevocably committed to the payment of  
18 interest on such bonds or other obligations, will suffice to pay the  
19 principal of such bonds or other obligations with interest to maturity  
20 thereon, which money under the terms of the agreement is required to be  
21 used for the purpose of paying the principal of and the interest on such  
22 bonds or other obligations at their maturity, and such bonds and other  
23 obligations shall be authorized security for all public deposits. It is  
24 the purpose of this section to authorize any persons, political  
25 subdivisions, and officers, public or private, to use any funds owned or  
26 controlled by them for the purchase of any such bonds or other  
27 obligations. However, nothing contained in this section with regard to  
28 legal investments shall be construed as relieving any person of any duty  
29 of exercising reasonable care in the selection of securities.

30       Sec. 26. Section 18-2137, Reissue Revised Statutes of Nebraska, is  
31 amended to read:

1           18-2137 The property of an authority is declared to be public  
2 property used for essential public and governmental purposes and shall be  
3 exempt from all taxes. Whenever such authority shall purchase or acquire  
4 real property pursuant to the Community Development Law sections 18-2101  
5 ~~to 18-2144~~, the authority shall annually, so long as it shall continue to  
6 own such property, pay out of its revenue to the State of Nebraska,  
7 county, city, township, school district, or other taxing subdivision in  
8 which such real property is located, in lieu of taxes, a sum equal to the  
9 amount which such state, county, city, township, school district or other  
10 taxing subdivision received from taxation from such real property during  
11 the year immediately preceding the purchase or acquisition of such real  
12 property by the authority. The county board of equalization may, in any  
13 year subsequent to the purchase or acquisition of such property by the  
14 authority, determine the amount that said authority shall pay out of its  
15 revenue to the State of Nebraska and its several governmental  
16 subdivisions in lieu of taxes, which sum shall be as justice and equity  
17 may require, notwithstanding the amount which the state and its  
18 governmental subdivisions may have received from taxation during the year  
19 immediately preceding the purchase or acquisition of such property.  
20 With ; ~~Provided, that with~~ respect to any property in a redevelopment  
21 project, the tax exemption provided herein shall terminate when the  
22 authority sells, leases, or otherwise disposes of such property to a  
23 redeveloper for redevelopment. The members of the authority shall not  
24 incur any personal liability by reason of the making of such payments.

25           Sec. 27. Section 18-2138, Reissue Revised Statutes of Nebraska, is  
26 amended to read:

27           18-2138 In addition to any other provisions governing any public  
28 body set forth in the Community Development Law sections 18-2101 to  
29 ~~18-2144 and 18-2147 to 18-2151~~, for the purpose of aiding and cooperating  
30 in the planning, undertaking, or carrying out of a redevelopment project  
31 located within the area in which it is authorized to act, any public body

1 may, upon such terms, with or without consideration, as it may determine:  
2 (1) Dedicate, sell, convey, or lease any of its interest in any property,  
3 or grant easements, licenses, or any other rights or privileges therein  
4 to an authority; (2) cause parks, playgrounds, recreational, community,  
5 educational, water, sewer or drainage facilities, or any other works  
6 which it is otherwise empowered to undertake, to be furnished in  
7 connection with a redevelopment project; (3) furnish, dedicate, close,  
8 vacate, pave, install, grade, regrade, plan, or replan streets, roads,  
9 sidewalks, ways, or other places, which it is otherwise empowered to  
10 undertake; (4) plan or replan, zone or rezone any part of the public  
11 body, or make exceptions from building regulations and ordinances if such  
12 functions are of the character which the public body is otherwise  
13 empowered to perform; (5) cause administrative and other services to be  
14 furnished to the authority of the character which the public body is  
15 otherwise empowered to undertake or furnish for the same or other  
16 purposes; (6) incur the entire expense of any public improvements made by  
17 such public body in exercising the powers granted in this section; (7) do  
18 any and all things necessary or convenient to aid and cooperate in the  
19 planning or carrying out of a redevelopment plan; (8) lend, grant, or  
20 contribute funds to an authority; (9) employ any funds belonging to or  
21 within the control of such public body, including funds derived from the  
22 sale or furnishing of property, service, or facilities to an authority,  
23 in the purchase of the bonds or other obligations of an authority and, as  
24 the holder of such bonds or other obligations, exercise the rights  
25 connected therewith; and (10) enter into agreements, which may extend  
26 over any period, notwithstanding any provision or rule of law to the  
27 contrary, with an authority respecting action to be taken by such public  
28 body pursuant to any of the powers granted by the Community Development  
29 Law provisions of sections 18-2101 to 18-2144. If at any time title to,  
30 or possession of, any redevelopment project is held by any public body or  
31 governmental agency, other than the authority, authorized by law to

1 engage in the undertaking, carrying out or administration of  
2 redevelopment projects, including any agency or instrumentality of the  
3 United States of America, the provisions of such agreements shall inure  
4 to the benefit of and may be enforced by such public body or governmental  
5 agency.

6 Sec. 28. Section 18-2140, Reissue Revised Statutes of Nebraska, is  
7 amended to read:

8 18-2140 An authority may, at such time as it may deem necessary,  
9 file with the governing body an estimate of the amounts necessary to be  
10 appropriated by the governing body to defray the expense of the  
11 authority. The governing body of such city is hereby authorized, in its  
12 discretion, to appropriate from its general fund and to place at the  
13 disposal of the authority an amount sufficient to assist in defraying  
14 such expense. Any city located within the area of operation of an  
15 authority may grant funds to an authority for the purpose of aiding such  
16 authority in carrying out any of its powers and functions under the  
17 Community Development Law ~~provisions of sections 18-2101 to 18-2144~~. To  
18 obtain funds for this purpose, the city may levy taxes and may issue and  
19 sell its bonds. Any bonds to be issued by the city pursuant to the  
20 provisions of this section shall be issued in the manner and within the  
21 limitations, except as otherwise provided by the Community Development  
22 Law ~~sections 18-2101 to 18-2144~~, prescribed by the laws of this state for  
23 the issuance and authorization of bonds by a city for any public purpose.

24 Sec. 29. Section 18-2141, Reissue Revised Statutes of Nebraska, is  
25 amended to read:

26 18-2141 Any instrument executed by an authority and purporting to  
27 convey any right, title, or interest in any property under the Community  
28 Development Law ~~sections 18-2101 to 18-2144~~ shall be conclusive evidence  
29 of compliance with the Community Development Law ~~provisions of sections~~  
30 ~~18-2101 to 18-2144~~ insofar as title or other interest of any bona fide  
31 purchasers, lessees, or other transferees of such property is concerned.



1           Sec. 30. Section 18-2142.01, Reissue Revised Statutes of Nebraska,  
2 is amended to read:

3           18-2142.01 (1) In any suit, action, or proceeding involving the  
4 validity or enforceability of any bond of a city, village, or authority  
5 or the security therefor brought after the lapse of thirty days after the  
6 issuance of such bonds has been authorized, any such bond reciting in  
7 substance that it has been authorized by the city, village, or authority  
8 to aid in financing a redevelopment project shall be conclusively deemed  
9 to have been authorized for such purpose and such redevelopment project  
10 shall be conclusively deemed to have been planned, located, and carried  
11 out in accordance with the purposes and provisions of the Community  
12 Development Law ~~and sections 18-2145 to 18-2154.~~

13           (2) In any suit, action, or proceeding involving the validity or  
14 enforceability of any agreement of a city, village, or authority brought  
15 after the lapse of thirty days after the agreement has been formally  
16 entered into, any such agreement reciting in substance that it has been  
17 entered into by the city, village, or authority to provide financing for  
18 an approved redevelopment project shall be conclusively deemed to have  
19 been entered into for such purpose and such project shall be conclusively  
20 deemed to have been planned, located, and carried out in accordance with  
21 the purposes and provisions of the Community Development Law ~~and sections~~  
22 ~~18-2145 to 18-2154.~~

23           Sec. 31. Section 18-2143, Reissue Revised Statutes of Nebraska, is  
24 amended to read:

25           18-2143 The powers conferred by the Community Development Law  
26 ~~sections 18-2101 to 18-2144~~ shall be in addition and supplemental to the  
27 powers conferred by any other law and shall be independent of and in  
28 addition to any other provision of the laws of the State of Nebraska with  
29 reference to the matters covered in the Community Development Law hereby  
30 and shall be considered as a complete and independent act and not as  
31 amendatory of or limited by any other provision of the laws of the State

1 of Nebraska. Notwithstanding any other evidence of legislative intent, it  
2 is hereby declared to be the controlling legislative intent that if any  
3 provision of the Community Development Law sections 18-2101 to 18-2144,  
4 or the application thereof to any person or circumstances is held  
5 unconstitutional or invalid, it shall not affect the other provisions of  
6 the Community Development Law sections 18-2101 to 18-2144 or the  
7 application of such provision to other persons or circumstances. The  
8 Community Development Law provisions of sections 18-2101 to 18-2144 and  
9 all grants of power, authority, rights, or discretion ~~herein~~ made to a  
10 city and to an authority created under the Community Development Law  
11 ~~provisions hereof~~ shall be liberally construed, and all incidental powers  
12 necessary to carry into effect the Community Development Law provisions  
13 ~~of such sections~~ are hereby expressly granted to and conferred upon a  
14 city or an authority created pursuant thereto ~~hereto~~.

15 Sec. 32. Section 18-2144, Reissue Revised Statutes of Nebraska, is  
16 amended to read:

17 18-2144 The Community Development Law Sections 18-2101 to 18-2144  
18 shall be full authority for the creation of a community redevelopment  
19 authority by a city or village, and for the exercise of the powers  
20 therein granted to a city or village and to such authority, and shall  
21 also be full authority for the creation of a community development agency  
22 by a city or village, and for the exercise of the powers therein granted  
23 to a city or village for such purpose, and no action, proceeding, or  
24 election shall be required prior to the creation of a community  
25 redevelopment authority or community development agency ~~hereunder~~ or to  
26 authorize the exercise of any of the powers granted in the Community  
27 Development Law such sections, except as specifically provided in the  
28 Community Development Law such sections, any provision of law or of any  
29 city charter or village law to the contrary notwithstanding.

30 No proceedings for the issuance of bonds of an authority or of a  
31 city or village for its community development agency shall be required

1 other than those required by the Community Development Law ~~provisions of~~  
2 ~~sections 18-2101 to 18-2144~~; and the provisions of all other laws and  
3 city charters, if any, relative to the terms and conditions for the  
4 issuance, payment, redemption, registration, sale or delivery of bonds of  
5 public bodies, corporations, or political subdivisions of this state  
6 shall not be applicable to bonds issued by an authority pursuant to the  
7 Community Development Law ~~sections 18-2101 to 18-2144~~.

8 Insofar as the provisions of the Community Development Law ~~sections~~  
9 ~~18-2101 to 18-2144~~ are inconsistent with the provisions of any other law  
10 or of any city charter, if any, the provisions of the Community  
11 Development Law ~~sections 18-2101 to 18-2144~~ shall be controlling.

12 Sec. 33. Section 18-2145, Reissue Revised Statutes of Nebraska, is  
13 amended to read:

14 18-2145 The provisions of the Community Development Law that are  
15 ~~sections 18-2101 to 18-2144~~ not in conflict with the provisions relating  
16 to limited community redevelopment authorities and that are sections  
17 ~~18-2102.01, 18-2103, 18-2107, 18-2145, and 18-2146~~ and necessary or  
18 convenient to carry out the powers expressly conferred upon limited  
19 community redevelopment authorities ~~or the intent and purpose of sections~~  
20 ~~18-2102.01, 18-2103, 18-2107, 18-2145, and 18-2146~~ shall apply to the  
21 limited community redevelopment authorities ~~authority hereby authorized~~.

22 Sec. 34. Section 18-2147, Revised Statutes Cumulative Supplement,  
23 2016, is amended to read:

24 18-2147 (1) Any redevelopment plan as originally approved or as  
25 later modified pursuant to section 18-2117 may contain a provision that  
26 any ad valorem tax levied upon real property, or any portion thereof, in  
27 a redevelopment project for the benefit of any public body shall be  
28 divided, for a period not to exceed fifteen years after the effective  
29 date as identified in the project redevelopment contract or in the  
30 resolution of the authority authorizing the issuance of bonds pursuant to  
31 section 18-2124, as follows:

1 (a) That portion of the ad valorem tax which is produced by the levy  
2 at the rate fixed each year by or for each such public body upon the  
3 redevelopment project valuation shall be paid into the funds of each such  
4 public body in the same proportion as are all other taxes collected by or  
5 for the body. When there is not a redevelopment project valuation on a  
6 parcel or parcels, the county assessor shall determine the redevelopment  
7 project valuation based upon the fair market valuation of the parcel or  
8 parcels as of January 1 of the year prior to the year that the ad valorem  
9 taxes are to be divided. The county assessor shall provide written notice  
10 of the redevelopment project valuation to the authority as defined in  
11 section 18-2103 and the owner. The authority or owner may protest the  
12 valuation to the county board of equalization within thirty days after  
13 the date of the valuation notice. All provisions of section 77-1502  
14 except dates for filing of a protest, the period for hearing protests,  
15 and the date for mailing notice of the county board of equalization's  
16 decision are applicable to any protest filed pursuant to this section.  
17 The county board of equalization shall decide any protest filed pursuant  
18 to this section within thirty days after the filing of the protest. The  
19 county clerk shall mail a copy of the decision made by the county board  
20 of equalization on protests pursuant to this section to the authority or  
21 owner within seven days after the board's decision. Any decision of the  
22 county board of equalization may be appealed to the Tax Equalization and  
23 Review Commission, in accordance with section 77-5013, within thirty days  
24 after the date of the decision;

25 (b) That portion of the ad valorem tax on real property, as provided  
26 in the redevelopment contract or bond resolution, in the redevelopment  
27 project in excess of such amount, if any, shall be allocated to and, when  
28 collected, paid into a special fund of the authority to be used solely to  
29 pay the principal of, the interest on, and any premiums due in connection  
30 with the bonds of, loans, notes, or advances of money to, or indebtedness  
31 incurred by, whether funded, refunded, assumed, or otherwise, such

1 authority for financing or refinancing, in whole or in part, the  
2 redevelopment project. When such bonds, loans, notes, advances of money,  
3 or indebtedness, including interest and premiums due, have been paid, the  
4 authority shall so notify the county assessor and county treasurer and  
5 all ad valorem taxes upon taxable real property in such a redevelopment  
6 project shall be paid into the funds of the respective public bodies; and

7 (c) Any interest and penalties due for delinquent taxes shall be  
8 paid into the funds of each public body in the same proportion as are all  
9 other taxes collected by or for the public body.

10 (2) To the extent that a redevelopment plan authorizes the division  
11 of ad valorem taxes levied upon only a portion of the real property  
12 included in such redevelopment plan, any improvements funded by such  
13 division of taxes shall be related to the redevelopment plan that  
14 authorized such division of taxes.

15 (3) ~~(2)~~ The effective date of a provision dividing ad valorem taxes  
16 as provided in subsection (1) of this section shall not occur until such  
17 time as the real property in the redevelopment project is within the  
18 corporate boundaries of the city. This subsection shall not apply to a  
19 redevelopment project involving a formerly used defense site as  
20 authorized in section 18-2123.01.

21 (4) ~~(3)~~ Beginning August 1, 2006, all notices of the provision for  
22 dividing ad valorem taxes shall be sent by the authority to the county  
23 assessor on forms prescribed by the Property Tax Administrator. The  
24 notice shall be sent to the county assessor on or before August 1 of the  
25 year of the effective date of the provision. Failure to satisfy the  
26 notice requirement of this section shall result in the taxes, for all  
27 taxable years affected by the failure to give notice of the effective  
28 date of the provision, remaining undivided and being paid into the funds  
29 for each public body receiving property taxes generated by the property  
30 in the redevelopment project. However, the redevelopment project  
31 valuation for the remaining division of ad valorem taxes in accordance

1 with subdivisions (1)(a) and (b) of this section shall be the last  
2 certified valuation for the taxable year prior to the effective date of  
3 the provision to divide the taxes for the remaining portion of the  
4 fifteen-year period pursuant to subsection (1) of this section.

5 Sec. 35. Section 18-2153, Reissue Revised Statutes of Nebraska, is  
6 amended to read:

7 18-2153 The powers conferred by sections 18-2147 to 18-2153 shall be  
8 in addition and supplemental to the powers conferred by ~~the Community~~  
9 ~~Development Law and~~ by any other law and shall be independent of and in  
10 addition to any other provision of the laws of the State of Nebraska with  
11 reference to the matters covered in such sections hereby. The provisions  
12 of such sections and all grants of power, authority, rights, or  
13 discretion to a city or village and to an authority created under the  
14 Community Development Law shall be liberally construed, and all  
15 incidental powers necessary to carry into effect such sections are hereby  
16 expressly granted to and conferred upon a city or village or an authority  
17 created pursuant to the Community Development Law.

18 Sec. 36. Section 77-1704.01, Revised Statutes Cumulative Supplement,  
19 2016, is amended to read:

20 77-1704.01 (1) The county treasurer shall include with each tax  
21 notice to every taxpayer and with each receipt provided to a taxpayer the  
22 following information:

23 (a) The total amount of aid from state sources appropriated to the  
24 county and each city, village, and school district in the county;

25 (b) The net amount of property taxes to be levied by the county and  
26 each city, village, school district, and learning community in the  
27 county;

28 (c) For real property, the amount of taxes reflected on the  
29 statement that are levied by the county, city, village, school district,  
30 learning community, and other subdivisions for the tax year and for the  
31 immediately past year on the same parcel; ~~and~~

1        (d) For real property that has its taxes divided under section  
2 18-2147 as part of a redevelopment project under the Community  
3 Development Law, the amount of taxes reflected on the statement that are  
4 allocated to the county, city, village, school district, learning  
5 community, and other subdivisions, the amount of taxes reflected on the  
6 statement that are allocated to the redevelopment project, and a  
7 statement explaining that taxes on the real property have been divided as  
8 part of a redevelopment project under the Community Development Law for a  
9 period not to exceed fifteen years; and

10        (e) {d} For taxes levied for fiscal year 2017-18 on real property  
11 within a learning community, statements explaining that the school  
12 district levies for learning community member districts are increasing,  
13 in part, as a result of the expiration of the learning community common  
14 levies, the proceeds of which were distributed directly to school  
15 districts, and that the remaining learning community levies fund  
16 activities of the learning community.

17        (2) The necessary form for furnishing the information required by  
18 subdivisions (1)(a), (b), and (e) {d} of this section shall be prescribed  
19 by the Department of Revenue. The necessary information required by  
20 subdivision (1)(a) of this section shall be furnished to the county  
21 treasurer by the Department of Revenue prior to October 1 of each year.  
22 The form prescribed by the Department of Revenue shall contain the  
23 following statement:

24        THE AMOUNT OF STATE FUNDS SHOWN ABOVE WOULD HAVE BEEN ADDITIONAL  
25 PROPERTY TAXES IF NOT ALLOCATED TO THE COUNTY, CITY, VILLAGE, AND SCHOOL  
26 DISTRICT BY THE LEGISLATURE.

27        Sec. 37. Original sections 15-1301, 18-2101.01, 18-2104, 18-2107,  
28 18-2109, 18-2113, 18-2116, 18-2117.01, 18-2122, 18-2125, 18-2127,  
29 18-2129, 18-2133, 18-2134, 18-2137, 18-2138, 18-2140, 18-2141,  
30 18-2142.01, 18-2143, 18-2144, 18-2145, and 18-2153, Reissue Revised  
31 Statutes of Nebraska, sections 13-2610, 18-2101, 18-2103, 18-2115,

1 18-2119, 18-2147, and 77-1704.01, Revised Statutes Cumulative Supplement,  
2 2016, and sections 17-405.01 and 18-2102.01, Revised Statutes Supplement,  
3 2017, are repealed.