

LEGISLATURE OF NEBRASKA  
ONE HUNDRED SIXTH LEGISLATURE  
SECOND SESSION

**LEGISLATIVE BILL 795**

Introduced by Hansen, M., 26.

Read first time January 08, 2020

Committee: Urban Affairs

- 1 A BILL FOR AN ACT relating to the Enterprise Zone Act; to amend section
- 2 13-2102, Reissue Revised Statutes of Nebraska; to change provisions
- 3 relating to enterprise zones; and to repeal the original section.
- 4 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 13-2102, Reissue Revised Statutes of Nebraska, is  
2 amended to read:

3 13-2102 For purposes of the Enterprise Zone Act:

4 (1) Census shall mean the federal decennial census;

5 (2) Department shall mean the Department of Economic Development;

6 (3) Economic distress shall mean conditions of unemployment,  
7 poverty, and declining population existing within the area of a proposed  
8 enterprise zone considered in the stated order as an order of priority  
9 from most to least significant;

10 (4) Enterprise zone or zone shall mean an area which is at least one  
11 but no more than sixteen square miles in total area composed of one or  
12 more discrete areas which have a combined total resident population of  
13 not less than two hundred fifty persons. If it is composed of more than  
14 one discrete area, each separate area must meet the eligibility criteria  
15 established by this subdivision and (a) must be no more than five miles  
16 from another area if the zone is located within a city of the  
17 metropolitan or primary class, (b) must be located within the same county  
18 if the zone is located outside of the boundaries of a city of the  
19 metropolitan or primary class, or (c) must be located within the  
20 boundaries of the applying political subdivisions if the application for  
21 zone designation is made jointly by counties or tribal government areas  
22 pursuant to subsection (4) of section 13-2103. No area or portion of an  
23 area located in a city of the metropolitan or primary class shall include  
24 any portion of a central business district. For purposes of this  
25 subdivision, central business district shall mean an area comprised of a  
26 high concentration of office, service, financial, lodging, entertainment,  
27 and retail businesses and government facilities and possessing a high  
28 traffic flow or an area composed of one or more complete federal census  
29 tracts defined as a central business district by the United States Bureau  
30 of the Census.

31 To qualify as an enterprise zone under this subdivision (4), such

1 area must meet at least two of the following three criteria as measured  
2 by data from the United States Bureau of the Census:

3 (i) Population in the area or within a reasonable proximity to the  
4 area has decreased by at least ten percent between the date of the most  
5 recent census and the date of the immediately preceding census;

6 (ii) The average rate of unemployment in the area or within a  
7 reasonable proximity to the area is at least two hundred percent of the  
8 average rate of unemployment in the state during the same period covered  
9 by the most recent census or American Community Survey 5-Year Estimate;  
10 or

11 (iii) The average poverty rate in the area exceeds twenty percent  
12 for the total federal census tract or tracts or federal census block  
13 group or block groups in the area or within a reasonable proximity to the  
14 area when the area is located within the legal boundaries of a city of  
15 the metropolitan or primary class or the average poverty rate in the area  
16 exceeds twenty percent for the total federal census tract or tracts or  
17 federal census block group or block groups which encompass the legal  
18 boundaries of a city of the first class, city of the second class,  
19 village, or tribal government area when the area is located in such  
20 political subdivision.

21 For purposes of this subdivision (4), reasonable proximity shall  
22 refer to the federal census tracts or federal census block groups which  
23 either in whole or in part are within the boundaries of any portion of  
24 the proposed zone;

25 (5) Political subdivision shall mean any incorporated village, city,  
26 county, or tribal government area; and

27 (6) Tribal government area shall mean (a) that portion of Knox  
28 County under the jurisdiction of the Santee Sioux Tribe, (b) that portion  
29 of Thurston County under the jurisdiction of the Omaha Tribe, and (c)  
30 that portion of Thurston County under the jurisdiction of the Winnebago  
31 Tribe.

1           Sec. 2.   Original section 13-2102, Reissue Revised Statutes of  
2 Nebraska, is repealed.