

AMENDMENTS TO LB798

Introduced by Wayne, 13.

1 1. Insert the following new sections:

2 Sec. 2. Section 18-2147, Revised Statutes Supplement, 2021, is
3 amended to read:

4 18-2147 (1) Any redevelopment plan as originally approved or as
5 later modified pursuant to section 18-2117 may contain a provision that
6 any ad valorem tax levied upon real property, or any portion thereof, in
7 a redevelopment project for the benefit of any public body shall be
8 divided, for the applicable period described in subsection (3) of this
9 section, as follows:

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

1 county clerk shall mail a copy of the decision made by the county board
2 of equalization on protests pursuant to this section to the authority or
3 owner within seven days after the board's decision. Any decision of the
4 county board of equalization may be appealed to the Tax Equalization and
5 Review Commission, in accordance with section 77-5013, within thirty days
6 after the date of the decision;

7 (b) That portion of the ad valorem tax on real property, as provided
8 in the redevelopment contract, bond resolution, or redevelopment plan, as
9 applicable, in the redevelopment project in excess of such amount, if
10 any, shall be allocated to and, when collected, paid into a special fund
11 of the authority to be used solely to pay the principal of, the interest
12 on, and any premiums due in connection with the bonds of, loans, notes,
13 or advances of money to, or indebtedness incurred by, whether funded,
14 refunded, assumed, or otherwise, such authority for financing or
15 refinancing, in whole or in part, the redevelopment project. When such
16 bonds, loans, notes, advances of money, or indebtedness, including
17 interest and premiums due, have been paid, the authority shall so notify
18 the county assessor and county treasurer and all ad valorem taxes upon
19 taxable real property in such a redevelopment project shall be paid into
20 the funds of the respective public bodies. An authority may use a single
21 fund for purposes of this subdivision for all redevelopment projects or
22 may use a separate fund for each redevelopment project; and

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

26 (2) To the extent that a redevelopment plan authorizes the division
27 of ad valorem taxes levied upon only a portion of the real property
28 included in such redevelopment plan, any improvements funded by such
29 division of taxes shall be related to the redevelopment plan that
30 authorized such division of taxes.

31 (3)(a) For redevelopment plans that receive an expedited review

1 under section 18-2155, ad valorem taxes shall be divided for a period not
2 to exceed ten years after the effective date as identified in the
3 redevelopment plan.

4 (b) For any redevelopment plan for which more than fifty percent of
5 the property in the redevelopment project area has been declared an
6 extremely blighted area in accordance with section 18-2101.02, ad valorem
7 taxes shall be divided for a period not to exceed twenty years after the
8 effective date as identified in the project redevelopment contract or in
9 the resolution of the authority authorizing the issuance of bonds
10 pursuant to section 18-2124. On and after the effective date of this act,
11 no redevelopment plan shall contain a provision dividing ad valorem taxes
12 for the period described in this subdivision unless the governing body of
13 the city has adopted policies and procedures as required in subsection
14 (7) of section 18-2101.02.

15 (c) For all other redevelopment plans, ad valorem taxes shall be
16 divided for a period not to exceed fifteen years after the effective date
17 as identified in the project redevelopment contract or in the resolution
18 of the authority authorizing the issuance of bonds pursuant to section
19 18-2124.

20 (4) The effective date of a provision dividing ad valorem taxes as
21 provided in subsection (3) of this section shall not occur until such
22 time as the real property in the redevelopment project is within the
23 corporate boundaries of the city. This subsection shall not apply to a
24 redevelopment project involving a formerly used defense site as
25 authorized in section 18-2123.01.

26 (5) Beginning August 1, 2006, all notices of the provision for
27 dividing ad valorem taxes shall be sent by the authority to the county
28 assessor on forms prescribed by the Property Tax Administrator. The
29 notice shall be sent to the county assessor on or before August 1 of the
30 year of the effective date of the provision. Failure to satisfy the
31 notice requirement of this section shall result in the taxes, for all

1 taxable years affected by the failure to give notice of the effective
2 date of the provision, remaining undivided and being paid into the funds
3 for each public body receiving property taxes generated by the property
4 in the redevelopment project. However, the redevelopment project
5 valuation for the remaining division of ad valorem taxes in accordance
6 with subdivisions (1)(a) and (b) of this section shall be the last
7 certified valuation for the taxable year prior to the effective date of
8 the provision to divide the taxes for the remaining portion of the ten-
9 year, twenty-year, or fifteen-year period pursuant to subsection (3) of
10 this section.

11 Sec. 4. Since an emergency exists, this act takes effect when passed
12 and approved according to law.

13 2. On page 3, after line 16 insert the following new subsection:

14 "(7) On and after the effective date of this act, no city shall
15 declare an area to be an extremely blighted area unless the governing
16 body of the city has adopted policies and procedures designed to ensure
17 that any redevelopment plan that will divide ad valorem taxes for a
18 period of up to twenty years as provided in subdivision (3)(b) of section
19 18-2147 is utilized for specific goals established by the city. Such
20 goals shall include, but not be limited to:

- 21 (a) Development of affordable housing;
- 22 (b) Flood mitigation;
- 23 (c) Preservation of historic buildings; and
- 24 (d) Remediation of poverty in established residential
25 neighborhoods."

26 3. Renumber the remaining section and correct the repealer
27 accordingly.