

LEGISLATIVE BILL 557

Approved by the Governor June 2, 2005

Introduced by Beutler, 28; Landis, 46

AN ACT relating to the Nebraska Visitors Development Act; to amend section 81-1258, Reissue Revised Statutes of Nebraska; to change permitted uses of lodging tax revenue; to harmonize provisions; and to repeal the original section.

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

Section 1. Section 81-1258, Reissue Revised Statutes of Nebraska, is amended to read:

81-1258. ~~(1) Except as provided in subsection (2) of this section, none of the proceeds from the taxes provided by the Nebraska Visitors Development Act shall be used for any type of capital construction.~~

~~(2)~~ (1) (a) The County Visitors Improvement Fund shall be administered by the governing body of the county with the advice of the visitors committee created in section 81-1255. The fund shall be used to make grants for expanding and improving facilities at any existing visitor attraction, acquiring or expanding exhibits for existing visitor attractions, constructing visitor attractions, or planning or developing such expansions, improvements, or additions construction.

(b) Grants shall be available for any visitor attraction in the county owned by the public or any nonprofit organization, the primary purpose of which is to operate the visitor attraction, except that grants shall not be available for any visitor attraction where parimutuel wagering is conducted.

(c) Grants may be made for a specified annual amount not to exceed the proceeds derived from a sales tax rate of one percent imposed by a county for a County Visitors Improvement Fund for a term of years not to exceed twenty years and may be pledged by the recipient to secure bonds issued to finance expansion, improvement, or construction of a visitor attraction. Any grant made for a term of years shall be funded each year in accordance with any agreement contained in the grant contract.

(d) No bonds issued by a grant recipient which pledges grant funds shall constitute a debt, liability, or general obligation of the county levying the tax or a pledge of the faith and credit of the county levying the tax but shall be payable solely from grant funds. Each bond issued by any grant recipient which pledges grant funds shall contain on the face thereof a statement that neither the faith and credit nor the taxing power of the county levying the tax is pledged to the payment of the principal of or the interest on such bond.

~~(3)~~ (2) For purposes of this section and section 81-1255, visitor attraction ~~shall mean~~ means a defined location open to the public, which location is of educational, cultural, historical, artistic, or recreational significance or provides entertainment or in which are exhibits, displays, or performances of educational, cultural, historic, artistic, or entertainment value.

Sec. 2. Original section 81-1258, Reissue Revised Statutes of Nebraska, is repealed.