

LEGISLATURE OF NEBRASKA  
ONE HUNDRED EIGHTH LEGISLATURE  
SECOND SESSION

**LEGISLATIVE BILL 1228**

Introduced by Wayne, 13.

Read first time January 16, 2024

Committee: Revenue

1 A BILL FOR AN ACT relating to the Good Life Transformational Projects  
2 Act; to amend sections 77-4403, 77-4404, and 77-4405, Revised  
3 Statutes Supplement, 2023; to define a term; to provide limits on  
4 good life districts; to change provisions relating to project  
5 eligibility and the size of good life districts; to harmonize  
6 provisions; and to repeal the original sections.

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

1 Section 1. Section 77-4403, Revised Statutes Supplement, 2023, is  
2 amended to read:

3 77-4403 For purposes of the Good Life Transformational Projects Act:

4 (1) Department means the Department of Economic Development;~~and~~

5 (2) Good life district means a district established pursuant to  
6 section 77-4405; and -

7 (3) Qualified inland port district means an inland port district  
8 created pursuant to the Municipal Inland Port Authority Act that is  
9 located within a city of the metropolitan class.

10 Sec. 2. Section 77-4404, Revised Statutes Supplement, 2023, is  
11 amended to read:

12 77-4404 (1) Until December 31, 2024, any person may apply to the  
13 department to create a good life district. All applications shall be in  
14 writing and shall contain:

15 (a) A description of the proposed project to be undertaken within  
16 the good life district, including a description of any existing  
17 development, an estimate of the total new development costs for the  
18 project, and an estimate of the number of new jobs to be created as a  
19 result of the project;

20 (b) A map identifying the good life district to be used for purposes  
21 of the project;

22 (c) A description of the proposed financing of the project;

23 (d) Documentation of local financial commitment to support the  
24 project, including all public and private resources pledged or committed  
25 to the project and including a copy of any operating agreement or lease  
26 with substantial users of the project area; and

27 (e) Sufficient documents, plans, and specifications as required by  
28 the department to define the project, including the following:

29 (i) A statement of how the jobs and taxes obtained from the project  
30 will contribute significantly to the economic development of the state  
31 and region;

1 (ii) Visitation expectations and a plan describing how the number of  
2 visitors to the good life district will be tracked and reported on an  
3 annual basis;

4 (iii) Any unique qualities of the project;

5 (iv) An economic impact study, including the anticipated effect of  
6 the project on the regional and statewide economies;

7 (v) Project accountability, measured according to best industry  
8 practices;

9 (vi) The expected return on state and local investment the project  
10 is anticipated to produce; and

11 (vii) A summary of community involvement, participation, and support  
12 for the project.

13 (2) Upon receiving an application, the department shall review the  
14 application and notify the applicant of any additional information needed  
15 for a proper evaluation of the application.

16 (3) The application and all supporting information shall be  
17 confidential except for the location of the project, the total new  
18 development costs estimated for the project, and the number of new jobs  
19 estimated to be created as a result of the project.

20 (4) No more than five good life districts may be created statewide.  
21 No more than one good life district may be created in any county with a  
22 population of five hundred thousand inhabitants or more, excluding any  
23 good life district created within a qualified inland port district.

24 Sec. 3. Section 77-4405, Revised Statutes Supplement, 2023, is  
25 amended to read:

26 77-4405 (1) If the department finds that creation of the good life  
27 district would not exceed the limits prescribed in subsection (4) of  
28 section 77-4404 and the project described in the application meets the  
29 eligibility requirements of this section, the application shall be  
30 approved.

31 (2) A project is eligible if:

1 (a) The applicant demonstrates that the total new development costs  
2 of the project will exceed:

3 (i) One billion dollars if the project will be located in a city of  
4 the metropolitan class;

5 (ii) Seven hundred fifty million dollars if the project will be  
6 located in a city of the primary class;

7 (iii) Five hundred million dollars if the project will be located in  
8 a city of the first class, city of the second class, or village within a  
9 county with a population of one hundred thousand inhabitants or more; or

10 (iv) One hundred million dollars if the project will be located in a  
11 city of the first class, city of the second class, or village within a  
12 county with a population of less than one hundred thousand inhabitants;

13 (b) The applicant demonstrates that the project will directly or  
14 indirectly result in the creation of:

15 (i) One thousand new jobs if the project will be located in a city  
16 of the metropolitan class;

17 (ii) Five hundred new jobs if the project will be located in a city  
18 of the primary class;

19 (iii) Two hundred fifty new jobs if the project will be located in a  
20 city of the first class, city of the second class, or village within a  
21 county with a population of one hundred thousand inhabitants or more; or

22 (iv) Fifty new jobs if the project will be located in a city of the  
23 first class, city of the second class, or village within a county with a  
24 population of less than one hundred thousand inhabitants; and

25 (c)(i) For a project that will be located in a county with a  
26 population of one hundred thousand inhabitants or more, the applicant  
27 demonstrates that, upon completion of the project, at least twenty  
28 percent of sales at the project will be made to persons residing outside  
29 the State of Nebraska or the project will generate a minimum of six  
30 hundred thousand visitors per year who reside outside the State of  
31 Nebraska and the project will attract new-to-market retail to the state

1 and will generate a minimum of three million visitors per year. Students  
2 from another state who attend a Nebraska public or private university  
3 shall not be counted as out-of-state residents for purposes of this  
4 subdivision; or

5 (ii) For a project that will be located in a county with a  
6 population of less than one hundred thousand inhabitants, the applicant  
7 demonstrates that, upon completion of the project, at least twenty  
8 percent of sales at the project will be made to persons residing outside  
9 the State of Nebraska. Students from another state who attend a Nebraska  
10 public or private university shall not be counted as out-of-state  
11 residents for purposes of this subdivision.

12 (3) The applicant must certify that any anticipated diversion of  
13 state sales tax revenue will be offset or exceeded by sales tax paid on  
14 anticipated development costs, including construction to real property,  
15 during the same period.

16 (4) A project is not eligible if:

17 (a) The ~~the~~ project includes a licensed racetrack enclosure or an  
18 authorized gaming operator as such terms are defined in section 9-1103; -

19 (b) The project received funds pursuant to the Shovel-Ready Capital  
20 Recovery and Investment Act or the Economic Recovery Act, except that  
21 this subdivision shall not apply to any project located in a qualified  
22 inland port district; or

23 (c) The project includes any portion of a public or private  
24 university.

25 (5) Approval of an application under this section shall establish  
26 the good life district as that area depicted in the map accompanying the  
27 application as submitted pursuant to subdivision (1)(b) of section  
28 77-4404. Such district shall last for twenty-five years and shall not  
29 exceed two thousand acres in size or, for any good life district created  
30 within a qualified inland port district, the size of the qualified inland  
31 port district.

1           (6) Upon establishment of a good life district under this section,  
2 any transactions occurring within the district shall be subject to a  
3 reduced sales tax rate as provided in section 77-2701.02.

4           Sec. 4. Original sections 77-4403, 77-4404, and 77-4405, Revised  
5 Statutes Supplement, 2023, are repealed.