

LEGISLATURE OF NEBRASKA

ONE HUNDRED FIRST LEGISLATURE

SECOND SESSION

LEGISLATIVE BILL 919

Introduced by Schilz, 47; Carlson, 38; Christensen, 44; Gloor, 35;
Hansen, 42; Louden, 49; Wightman, 36.

Read first time January 13, 2010

Committee: Urban Affairs

A BILL

1 FOR AN ACT relating to cities of the first class; to amend section
2 17-301, Reissue Revised Statutes of Nebraska; to permit
3 a city to remain a city of the first class despite a
4 population decrease; to repeal the original section; and
5 to declare an emergency.
6 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 17-301, Reissue Revised Statutes of
2 Nebraska, is amended to read:

3 17-301 (1) ~~Whenever~~ Except as provided in subsection
4 (6) of this section, whenever any city of the first class
5 decreases in population until it has a population of less than
6 five thousand inhabitants but not less than four thousand five
7 hundred inhabitants, as ascertained and officially promulgated by
8 the most recent federal decennial census, the mayor of any such
9 city shall certify such fact to the Secretary of State.

10 (2) ~~Whenever~~ Except as provided in subsection (6) of
11 this section, whenever any city of the first class decreases in
12 population until it has a population of less than four thousand
13 five hundred inhabitants but more than eight hundred inhabitants as
14 ascertained and officially promulgated by the most recent federal
15 decennial census, the mayor of any such city shall certify such
16 fact to the Secretary of State.

17 (3) Whenever the Secretary of State receives a
18 certification pursuant to subsection (1) of this section from the
19 same city after two consecutive federal decennial censuses, he or
20 she shall declare such city to have become a city of the second
21 class as provided in section 17-305.

22 (4) Whenever the Secretary of State receives a
23 certification pursuant to subsection (2) of this section, he or she
24 shall declare such city to have become a city of the second class
25 as provided in section 17-305.

1 (5) Beginning on the date upon which a city becomes a
2 city of the second class pursuant to section 17-305, such city
3 shall be governed by the ~~provisions of the statutes of the State~~
4 ~~of Nebraska~~ laws of this state applicable to cities of the second
5 class.

6 (6) If a city of the first class (a) has more than four
7 thousand inhabitants as of January 1, 2010, (b) is a county seat as
8 of such date, and (c) does not decrease in population below three
9 thousand inhabitants, as ascertained and officially promulgated by
10 the most recent federal decennial census, and remains a county
11 seat, the city shall continue to be classified as a city of
12 the first class and shall be governed by the laws of this state
13 applicable to cities of the first class.

14 Sec. 2. Original section 17-301, Reissue Revised Statutes
15 of Nebraska, is repealed.

16 Sec. 3. Since an emergency exists, this act takes effect
17 when passed and approved according to law.