

AMENDMENTS TO LB 1137

Introduced by Urban Affairs

1           1. Strike the original sections and insert the following  
2 new sections:

3           Section 1. Sections 1 to 17 of this act shall be known  
4 and may be cited as the Nebraska Municipal Land Bank Act.

5           Sec. 2. The Legislature finds and declares as follows:

6           (1) Nebraska's municipalities are important to the social  
7 and economic vitality of the state, and many municipalities are  
8 struggling to cope with vacant, abandoned, and tax-delinquent  
9 properties;

10          (2) Vacant, abandoned, and tax-delinquent properties  
11 represent lost revenue to municipalities and large costs associated  
12 with demolition, safety hazards, and the deterioration of  
13 neighborhoods;

14          (3) There is an overriding public need to confront the  
15 problems caused by vacant, abandoned, and tax-delinquent properties  
16 through the creation of new tools to be available to municipalities  
17 enabling such municipalities to turn vacant spaces into vibrant  
18 places; and

19          (4) Land banks are one of the tools that can be utilized  
20 by municipalities to facilitate the return of vacant, abandoned,  
21 and tax-delinquent properties to productive use.

22          Sec. 3. For purposes of the Nebraska Municipal Land Bank  
23 Act:

1           (1) Board means the board of directors of a land bank;

2           (2) Land bank means a land bank established in accordance  
3 with the Nebraska Municipal Land Bank Act; and

4           (3) Municipality means any city or village that is  
5 located (a) within a county in which a city of the metropolitan  
6 class is located or (b) within a county in which at least three  
7 cities of the first class are located.

8           Sec. 4. (1) A municipality may elect to create a land  
9 bank by the adoption of an ordinance which specifies the following:

10           (a) The name of the land bank;

11           (b) The number of members of the board, which shall  
12 consist of an odd number of members and shall be not less than  
13 seven members nor more than eleven members;

14           (c) The initial individuals to serve as members of the  
15 board and the length of terms for which they are to serve; and

16           (d) The qualifications, manner of selection or  
17 appointment, and terms of office of members of the board.

18           (2) Two or more municipalities may elect to enter into  
19 an agreement pursuant to the Interlocal Cooperation Act to create  
20 a single land bank to act on behalf of such municipalities, which  
21 agreement shall contain the information required by subsection (1)  
22 of this section.

23           (3) Each land bank created pursuant to the Nebraska  
24 Municipal Land Bank Act shall be deemed to be a public corporation  
25 acting in a governmental capacity and a political subdivision of  
26 the state and shall have permanent and perpetual duration until  
27 terminated and dissolved in accordance with section 14 of this act.

1           (4) The primary goal of any land bank shall be to  
2 facilitate the return of vacant, abandoned, and tax-delinquent  
3 properties to productive use.

4           Sec. 5. (1) The board shall consist of an odd number  
5 of members as specified under section 4 of this act and shall  
6 include members who represent the public, private, and nonprofit  
7 sectors and who have verifiable skills, expertise, and knowledge  
8 in the areas of market-rate and affordable residential, commercial,  
9 industrial, and mixed-use real estate development, financing, law,  
10 purchasing and sales, asset management, and economic and community  
11 development. Regardless of the total number of board members  
12 specified under section 4 of this act, the board shall include the  
13 following members:

14           (a) At least one member representing realtors;

15           (b) At least one member representing the banking  
16 industry;

17           (c) At least one member representing real estate  
18 developers;

19           (d) At least one member representing a chamber of  
20 commerce; and

21           (e) At least one member representing a nonprofit  
22 corporation involved in affordable housing.

23           (2) The members of the board shall select annually from  
24 among themselves a chairperson, a vice-chairperson, a treasurer,  
25 and such other officers as the board may determine.

26           (3) A vacancy on the board shall be filled in the same  
27 manner as the original appointment.

1           (4) Board members shall serve without compensation.

2           (5) The board shall meet in regular session according to  
3 a schedule adopted by the board and shall also meet in special  
4 session as convened by the chairperson or upon written notice  
5 signed by a majority of the members. The presence of a majority of  
6 the members of the board shall constitute a quorum.

7           (6) Members of a board shall not be liable personally on  
8 the bonds or other obligations of the land bank, and the rights of  
9 creditors shall be solely against such land bank.

10           Sec. 6. A land bank may employ such agents and employees,  
11 permanent or temporary, as it may require, and may determine  
12 the qualifications and fix the compensation and benefits of such  
13 persons.

14           Sec. 7. (1) A land bank shall have the following powers:

15           (a) To adopt, amend, and repeal bylaws for the regulation  
16 of its affairs and the conduct of its business;

17           (b) To sue and be sued in its own name and plead and be  
18 impleaded in all civil actions;

19           (c) To borrow money from private lenders, from  
20 municipalities, from the state, or from federal government funds as  
21 may be necessary for the operation and work of the land bank;

22           (d) To issue negotiable revenue bonds and notes according  
23 to the provisions of the Nebraska Municipal Land Bank Act;

24           (e) To procure insurance or guarantees from the state or  
25 federal government of the payments of any debts or parts thereof  
26 incurred by the land bank and to pay premiums in connection  
27 therewith;

1           (f) To enter into contracts and other instruments  
2 necessary, incidental, or convenient to the performance of its  
3 duties and the exercise of its powers, including, but not limited  
4 to, agreements under the Interlocal Cooperation Act for the joint  
5 exercise of powers under the Nebraska Municipal Land Bank Act;

6           (g) To enter into contracts and other instruments  
7 necessary, incidental, or convenient to the performance of  
8 functions by the land bank on behalf of municipalities or  
9 agencies or departments of municipalities, or the performance by  
10 municipalities or agencies or departments of municipalities of  
11 functions on behalf of the land bank;

12           (h) To make and execute contracts and other instruments  
13 necessary or convenient to the exercise of the powers of the land  
14 bank;

15           (i) To provide foreclosure prevention counseling and  
16 re-housing assistance;

17           (j) To procure insurance against losses in connection  
18 with the real property, assets, or activities of the land bank;

19           (k) To invest money of the land bank, at the discretion  
20 of the board, in instruments, obligations, securities, or property  
21 determined proper by the board and name and use depositories for  
22 its money;

23           (l) To enter into contracts for the management of, the  
24 collection of rent from, or the sale of real property of the land  
25 bank;

26           (m) To design, develop, construct, demolish, reconstruct,  
27 rehabilitate, renovate, relocate, and otherwise improve real

1 property or rights or interests in real property of the land bank;

2 (n) To fix, charge, and collect fees and charges for  
3 services provided by the land bank;

4 (o) To fix, charge, and collect rents and leasehold  
5 payments for the use of real property of the land bank for up  
6 to twelve months after such real property is acquired by the land  
7 bank;

8 (p) To grant or acquire a license, easement, lease, as  
9 lessor and as lessee, or option with respect to real property of  
10 the land bank;

11 (q) To enter into partnerships, joint ventures, and other  
12 collaborative relationships with municipalities and other public  
13 and private entities for the ownership, management, development,  
14 and disposition of real property; and

15 (r) To do all other things necessary or convenient to  
16 achieve the objectives and purposes of the Nebraska Municipal Land  
17 Bank Act.

18 (2) A land bank shall neither possess nor exercise the  
19 power of eminent domain.

20 Sec. 8. (1) A land bank may acquire real property or  
21 interests in real property by gift, devise, transfer, exchange,  
22 foreclosure, purchase, or otherwise on terms and conditions and in  
23 a manner the land bank considers proper.

24 (2) A land bank may acquire real property by purchase  
25 contracts, lease-purchase agreements, installment sales contracts,  
26 or land contracts and may accept transfers from municipalities  
27 upon such terms and conditions as agreed to by the land bank and

1 the municipality. Notwithstanding any other law to the contrary,  
2 any municipality may transfer to the land bank real property and  
3 interests in real property of the municipality on such terms and  
4 conditions and according to such procedures as determined by the  
5 municipality.

6 (3) A land bank shall maintain all of its real property  
7 in accordance with the laws and ordinances of the jurisdiction in  
8 which the real property is located.

9 (4) A land bank shall not own or hold real property  
10 located outside the jurisdictional boundaries of the municipality  
11 or municipalities that created the land bank.

12 (5) A land bank may accept transfers of real property  
13 and interests in real property from a land reutilization authority  
14 on such terms and conditions, and according to such procedures,  
15 as mutually determined by the transferring land reutilization  
16 authority and the land bank.

17 Sec. 9. The real property of a land bank and the land  
18 bank's income and operations are exempt from all taxation by the  
19 state or any political subdivision thereof.

20 Sec. 10. (1) A land bank shall hold in its own name  
21 all real property acquired by the land bank irrespective of the  
22 identity of the transferor of such property.

23 (2) A land bank shall maintain and make available for  
24 public review and inspection an inventory of all real property held  
25 by the land bank.

26 (3) A land bank shall determine and set forth in policies  
27 and procedures of the board the general terms and conditions for

1 consideration to be received by the land bank for the transfer of  
2 real property and interests in real property, which consideration  
3 may take the form of monetary payments and secured financial  
4 obligations, covenants and conditions related to the present  
5 and future use of the property, contractual commitments of the  
6 transferee, and such other forms of consideration as determined by  
7 the board to be in the best interest of the land bank.

8 (4) A land bank may convey, exchange, sell, transfer,  
9 lease as lessee, grant, release and demise, pledge, and hypothecate  
10 any and all interests in, upon, or to real property of the land  
11 bank.

12 (5) The municipality or municipalities that created the  
13 land bank may establish by resolution or ordinance a hierarchical  
14 ranking of priorities for the use of real property conveyed by a  
15 land bank. Such ranking shall take into consideration the highest  
16 and best use that, when possible, will bring the greatest benefit  
17 to the community. The priorities may include, but are not limited  
18 to, (a) use for purely public spaces and places, (b) use for  
19 affordable housing, (c) use for retail, commercial, and industrial  
20 activities, and (d) such other uses and in such hierarchical order  
21 as determined by the municipality or municipalities.

22 (6) The municipality or municipalities that created  
23 the land bank may require by resolution or ordinance that any  
24 particular form of disposition of real property, or any disposition  
25 of real property located within specified jurisdictions, be subject  
26 to specified voting and approval requirements of the board. Except  
27 and unless restricted or constrained in this manner, the board

1 may delegate to officers and employees the authority to enter into  
2 and execute agreements, instruments of conveyance, and all other  
3 related documents pertaining to the conveyance of real property by  
4 the land bank.

5           Sec. 11. (1) A land bank may receive funding through  
6 grants and loans from the municipality or municipalities that  
7 created the land bank, from other municipalities, from the state,  
8 from the federal government, and from other public and private  
9 sources.

10           (2) A land bank may receive and retain payments for  
11 services rendered, for rents and leasehold payments received, for  
12 consideration for disposition of real and personal property, for  
13 proceeds of insurance coverage for losses incurred, for income  
14 from investments, and for any other asset and activity lawfully  
15 permitted to a land bank under the Nebraska Municipal Land Bank  
16 Act.

17           (3) Fifty percent of the real property taxes collected  
18 on real property conveyed by a land bank pursuant to the laws of  
19 this state shall be remitted to the land bank. Such allocation of  
20 property tax revenue shall commence with the first taxable year  
21 following the date of conveyance and shall continue for a period of  
22 five years.

23           Sec. 12. (1) A land bank shall have the power to issue  
24 bonds for any of its corporate purposes, the principal and interest  
25 of which are payable from its revenue generally. Any of such bonds  
26 shall be secured by a pledge of any revenue of the land bank or by  
27 a mortgage of any property of the land bank.

1           (2) The bonds issued by a land bank are hereby declared  
2 to have all the qualities of negotiable instruments under the  
3 Uniform Commercial Code.

4           (3) The bonds of a land bank and the income therefrom  
5 shall at all times be exempt from all taxes imposed by the state or  
6 any political subdivision thereof.

7           (4) Bonds issued by the land bank shall be authorized by  
8 resolution of the board and shall be limited obligations of the  
9 land bank. The principal and interest, costs of issuance, and other  
10 costs incidental thereto shall be payable solely from the income  
11 and revenue derived from the sale, lease, or other disposition  
12 of the assets of the land bank. Any refunding bonds issued shall  
13 be payable from any source described above or from the investment  
14 of any of the proceeds of the refunding bonds, and shall not  
15 constitute an indebtedness or pledge of the general credit of any  
16 municipality within the meaning of any constitutional or statutory  
17 limitation of indebtedness and shall contain a recital to that  
18 effect. Bonds of the land bank shall be issued in such form, shall  
19 be in such denominations, shall bear interest, shall mature in such  
20 manner, and shall be executed by one or more members of the board  
21 as provided in the resolution authorizing the issuance thereof.  
22 Such bonds may be subject to redemption at the option of and in the  
23 manner determined by the board in the resolution authorizing the  
24 issuance thereof.

25           (5) Bonds issued by the land bank shall be issued, sold,  
26 and delivered in accordance with the terms and provisions of a  
27 resolution adopted by the board. The board may sell such bonds in

1 such manner, either at public or private sale, and for such price  
2 as it may determine to be in the best interests of the land bank.  
3 The resolution issuing bonds shall be published in a newspaper of  
4 general circulation within the municipality or municipalities that  
5 created the land bank.

6 (6) Neither the members of the board nor any person  
7 executing the bonds shall be liable personally on any such bonds by  
8 reason of the issuance thereof. Such bonds or other obligations of  
9 a land bank shall not be a debt of any municipality and shall so  
10 state on their face, nor shall any municipality nor any revenue or  
11 any property of any municipality be liable therefor.

12 Sec. 13. (1) The board shall cause minutes and a record  
13 to be kept of all its proceedings. Meetings of the land bank shall  
14 be subject to the Open Meetings Act.

15 (2) The board shall provide monthly reports to the  
16 municipality or municipalities that created the land bank on  
17 the board's activities pursuant to the Nebraska Municipal Land  
18 Bank Act. The board shall also provide an annual report to the  
19 municipality or municipalities that created the land bank by  
20 December 31 of each year summarizing the board's activities for the  
21 year.

22 Sec. 14. A land bank may be dissolved sixty calendar days  
23 after a resolution of dissolution is approved by two-thirds of the  
24 membership of the board and by two-thirds of the membership of the  
25 governing body of the municipality or municipalities that created  
26 the land bank. The board shall give sixty calendar days advance  
27 written notice of its consideration of a resolution of dissolution

1 by publishing such notice in a newspaper of general circulation  
2 within the municipality or municipalities that created the land  
3 bank and shall send such notice by certified mail to the trustee  
4 of any outstanding bonds of the land bank. Upon dissolution of the  
5 land bank, all real property, personal property, and other assets  
6 of the land bank shall become the assets of the municipality or  
7 municipalities that created the land bank.

8           Sec. 15. No member of the board or employee of a land  
9 bank shall acquire any interest, direct or indirect, in real  
10 property of the land bank, in any real property to be acquired by  
11 the land bank, or in any real property to be acquired from the  
12 land bank. No member of the board or employee of a land bank shall  
13 have any interest, direct or indirect, in any contract or proposed  
14 contract for materials or services to be furnished or used by a  
15 land bank.

16           Sec. 16. (1) Whenever any real property is acquired by a  
17 land bank and is encumbered by a lien or claim for real property  
18 taxes owed to one or more political subdivisions of the state, the  
19 land bank may, by resolution of the board, discharge and extinguish  
20 any and all such liens or claims. To the extent necessary and  
21 appropriate, the land bank shall file in appropriate public records  
22 evidence of the extinguishment and dissolution of such liens or  
23 claims.

24           (2) To the extent that a land bank receives payments of  
25 any kind attributable to liens or claims for real property taxes  
26 owed to a political subdivision on property acquired by the land  
27 bank, the land bank shall remit the full amount of the payments

1 to the county treasurer of the county that levied such taxes for  
2 distribution to the appropriate taxing entity.

3 (3) (a) At a nonjudicial tax sale conducted pursuant to  
4 Chapter 77, article 18, a land bank may tender a bid in one of the  
5 following two ways:

6 (i) A land bank may tender a bid in an amount equal to  
7 or greater than the total amount of all tax liens which were the  
8 basis of the sale and any accrued interest and costs. In the event  
9 of such tender by the land bank, the property shall be deemed sold  
10 to the land bank if the land bank's bid is the highest bid received  
11 for the real property; or

12 (ii) A land bank may tender a trump bid in an amount  
13 equal to the total amount of all tax liens which were the basis  
14 of the sale and any accrued interest and costs. In the event  
15 of such tender by the land bank, the property shall be deemed  
16 sold to the land bank regardless of any bids by any other third  
17 parties. A trump bid may be tendered only if the board, by  
18 two-thirds vote, passes a resolution stating that (A) the property  
19 in question has been identified by the board or by the municipality  
20 or municipalities that created the land bank as necessary for a  
21 specifically identified public purpose or (B) there is a strong  
22 concern that other bidders on the property in question would not  
23 act to put the property into compliance with any applicable housing  
24 or building codes or otherwise return the property to productive  
25 use.

26 (b) The bid of the land bank shall be paid as to its  
27 form, substance, and timing according to such agreement as is

1 mutually acceptable to the county treasurer and the land bank. The  
2 obligation of the land bank to perform in accordance with such  
3 agreement shall be deemed to be in full satisfaction of the tax  
4 lien that was the basis for the sale.

5 (c) The notice provided for in section 77-1802 shall  
6 contain reference to a potential bid by a land bank.

7 (4) (a) A land bank may tender a bid at any sale ordered  
8 by the court pursuant to Chapter 77, article 19, in one of the  
9 following two ways:

10 (i) A land bank may tender a bid in an amount equal to or  
11 greater than the total amount of all claims and liens which were  
12 the basis for the sale. In the event of such tender by the land  
13 bank, the property shall be deemed sold to the land bank if the  
14 land bank's bid is the highest bid received for the real property;  
15 or

16 (ii) A land bank may tender a trump bid in an amount  
17 equal to the total amount of all claims and liens which were the  
18 basis for the sale. In the event of such tender by the land bank,  
19 the property shall be deemed sold to the land bank regardless of  
20 any bids by any other third parties. A trump bid may be tendered  
21 only if the board, by two-thirds vote, passes a resolution stating  
22 that (A) the property in question has been identified by the board  
23 or by the municipality or municipalities that created the land bank  
24 as necessary for a specifically identified public purpose or (B)  
25 there is a strong concern that other bidders on the property in  
26 question would not act to put the property into compliance with  
27 any applicable housing or building codes or otherwise return the

1 property to productive use.

2 (b) The bid of the land bank shall be paid as to  
3 its form, substance, and timing according to such agreement as  
4 is mutually acceptable to the plaintiff and the land bank. The  
5 obligation of the land bank to perform in accordance with such  
6 agreement shall be deemed to be in full satisfaction of the tax  
7 lien or liens that were the basis for the sale. Final confirmation  
8 of sale shall be as provided in section 77-1903.

9 Sec. 17. The Nebraska Municipal Land Bank Act terminates  
10 on December 31, 2032.

11 Sec. 18. Section 77-1736.06, Revised Statutes Cumulative  
12 Supplement, 2010, is amended to read:

13 77-1736.06 The following procedure shall apply when  
14 making a property tax refund:

15 (1) Within thirty days of the entry of a final  
16 nonappealable order, an unprotested determination of a county  
17 assessor, an unappealed decision of a county board of equalization,  
18 or other final action requiring a refund of real or personal  
19 property taxes paid or, for property valued by the state, within  
20 thirty days of a recertification of value by the Property Tax  
21 Administrator pursuant to section 77-1775 or 77-1775.01, the  
22 county assessor shall determine the amount of refund due the  
23 person entitled to the refund, certify that amount to the county  
24 treasurer, and send a copy of such certification to the person  
25 entitled to the refund. Within thirty days from the date the county  
26 assessor certifies the amount of the refund, the county treasurer  
27 shall notify each political subdivision, including any school

1 district receiving a distribution pursuant to section 79-1073 or  
2 79-1073.01 and any land bank receiving real property taxes pursuant  
3 to subsection (3) of section 11 of this act, of its respective  
4 share of the refund, except that for any political subdivision  
5 whose share of the refund is two hundred dollars or less, the  
6 county board may waive this notice requirement. Notification shall  
7 be by first-class mail, postage prepaid, to the last-known address  
8 of record of the political subdivision. The county treasurer shall  
9 pay the refund from funds in his or her possession belonging to  
10 any political subdivision, including any school district receiving  
11 a distribution pursuant to section 79-1073 or 79-1073.01 and any  
12 land bank receiving real property taxes pursuant to subsection (3)  
13 of section 11 of this act, which received any part of the tax or  
14 penalty being refunded. If sufficient funds are not available or  
15 the political subdivision, within thirty days of the mailing of  
16 the notice by the county treasurer if applicable, certifies to the  
17 county treasurer that a hardship would result and create a serious  
18 interference with its governmental functions if the refund of the  
19 tax or penalty is paid, the county treasurer shall register the  
20 refund or portion thereof which remains unpaid as a claim against  
21 such political subdivision and shall issue the person entitled  
22 to the refund a receipt for the registration of the claim. The  
23 certification by a political subdivision declaring a hardship shall  
24 be binding upon the county treasurer;

25 (2) The refund of a tax or penalty or the receipt for  
26 the registration of a claim made or issued pursuant to this section  
27 shall be satisfied in full as soon as practicable and in no event

1 later than five years from the date the final order or other action  
2 approving a refund is entered. The governing body of the political  
3 subdivision shall make provisions in its budget for the amount of  
4 any refund or claim to be satisfied pursuant to this section. If a  
5 receipt for the registration of a claim is given:

6 (a) Such receipt shall be applied to satisfy any tax  
7 levied or assessed by that political subdivision next falling due  
8 from the person holding the receipt after the sixth next succeeding  
9 levy is made on behalf of the political subdivision following the  
10 final order or other action approving the refund; and

11 (b) To the extent the amount of such receipt exceeds  
12 the amount of such tax liability, the unsatisfied balance of the  
13 receipt shall be paid and satisfied within the five-year period  
14 prescribed in this subdivision from a combination of a credit  
15 against taxes anticipated to be due to the political subdivision  
16 during such period and cash payment from any funds expected to  
17 accrue to the political subdivision pursuant to a written plan to  
18 be filed by the political subdivision with the county treasurer  
19 no later than thirty days after the claim against the political  
20 subdivision is first reduced by operation of a credit against taxes  
21 due to such political subdivision.

22 If a political subdivision fails to fully satisfy the  
23 refund or claim prior to the sixth next succeeding levy following  
24 the entry of a final nonappealable order or other action approving  
25 a refund, interest shall accrue on the unpaid balance commencing on  
26 the sixth next succeeding levy following such entry or action at  
27 the rate set forth in section 45-103;

1           (3) The county treasurer shall mail the refund or the  
2 receipt by first-class mail, postage prepaid, to the last-known  
3 address of the person entitled thereto. Multiple refunds to the  
4 same person may be combined into one refund or credit. If a refund  
5 is not claimed by June 1 of the year following the year of mailing,  
6 the refund shall be canceled and the resultant amount credited to  
7 the various funds originally charged;

8           (4) When the refund involves property valued by the  
9 state, the Tax Commissioner shall be authorized to negotiate a  
10 settlement of the amount of the refund or claim due pursuant to  
11 this section on behalf of the political subdivision from which  
12 such refund or claim is due. Any political subdivision which does  
13 not agree with the settlement terms as negotiated may reject such  
14 terms, and the refund or claim due from the political subdivision  
15 then shall be satisfied as set forth in this section as if no such  
16 negotiation had occurred;

17           (5) In the event that the Legislature appropriates state  
18 funds to be disbursed for the purposes of satisfying all or any  
19 portion of any refund or claim, the Tax Commissioner shall order  
20 the county treasurer to disburse such refund amounts directly to  
21 the persons entitled to the refund in partial or total satisfaction  
22 of such persons' claims. The county treasurer shall disburse such  
23 amounts within forty-five days after receipt thereof; and

24           (6) If all or any portion of the refund is reduced by  
25 way of settlement or forgiveness by the person entitled to the  
26 refund, the proportionate amount of the refund that was paid by  
27 an appropriation of state funds shall be reimbursed by the county

1 treasurer to the State Treasurer within forty-five days after  
2 receipt of the settlement agreement or receipt of the forgiven  
3 refund. The amount so reimbursed shall be credited to the General  
4 Fund.

5 Sec. 19. Section 77-1737, Reissue Revised Statutes of  
6 Nebraska, is amended to read:

7 77-1737 No county or township board, city council, or  
8 village trustees shall have the power to release, discharge, remit,  
9 or commute any portion of the taxes assessed or levied against  
10 any person or property within their respective jurisdictions for  
11 any reason whatever. Any taxes, so discharged, released, remitted,  
12 or commuted, may be recovered by civil action from the members of  
13 any such board, council, or trustees, and the sureties on their  
14 official bonds at the suit of any citizen of the county, township,  
15 city, or village, as the case may be, and when collected shall be  
16 paid into the proper treasury. The provisions of this section shall  
17 not be construed to prevent the proper authority from refunding  
18 taxes paid, as provided in section 77-1735, ~~nor~~ to interfere with  
19 the powers of any officers or board sitting as a board for the  
20 equalization of taxes, or to prohibit the extinguishment of taxes  
21 by a land bank pursuant to section 16 of this act.

22 Sec. 20. Section 77-1759, Reissue Revised Statutes of  
23 Nebraska, is amended to read:

24 77-1759 The county treasurer shall, after deducting any  
25 amount remitted to a land bank pursuant to subsection (3) of  
26 section 11 of this act, report and pay over the amount of tax and  
27 special assessments due to towns, districts, cities, villages, all

1 other taxing units, corporations, and persons, collected by him or  
2 her, when demanded by the proper authorities or persons. Upon a  
3 demand, one payment shall be for the funds collected or received  
4 during the previous calendar month and shall be paid not later  
5 than the fifteenth of the following month. A second demand may  
6 be made prior to the fifteenth of the month on taxes and special  
7 assessments collected or received, during the first fifteen days of  
8 the month. The second demand shall be paid not later than the last  
9 day of the month.

10           Sec. 21. Section 77-1802, Reissue Revised Statutes of  
11 Nebraska, is amended to read:

12           77-1802 The county treasurer shall, not less than four  
13 nor more than six weeks prior to the first Monday of March in each  
14 year, make out a list of all real property subject to sale and the  
15 amount of all delinquent taxes against each item, describing the  
16 property as it is described on the tax list, with an accompanying  
17 notice stating that so much of such property described in the list  
18 as may be necessary for that purpose will, on the first Monday of  
19 March next thereafter, be sold by such county treasurer at public  
20 auction at his or her office for the taxes, interest, and costs  
21 thereon. Such notice shall contain reference to a potential bid by  
22 a land bank at such public auction pursuant to section 16 of this  
23 act.

24           Sec. 22. Section 77-1810, Reissue Revised Statutes of  
25 Nebraska, is amended to read:

26           77-1810 ~~Whenever~~ (1) Except as otherwise provided in  
27 subsection (2) of this section, whenever any real property

1 subject to sale for taxes is within the corporate limits of any  
2 city, village, school district, drainage district, or irrigation  
3 district, it shall have the right and power through its governing  
4 board or body to purchase such real property for the use and  
5 benefit and in the name of the city, village, school district,  
6 drainage district, or irrigation district as the case may be. The  
7 treasurer of the city, village, school district, drainage district,  
8 or irrigation district may assign the certificate of purchase by  
9 endorsement of his or her name on the back thereof when directed so  
10 to do by written order of the governing board.

11 (2) (a) No such sale shall be made to any city, village,  
12 school district, drainage district, or irrigation district by the  
13 county treasurer when the real property has been previously sold  
14 to the county, but in any such case, the city, village, school  
15 district, drainage district, or irrigation district may purchase  
16 the tax certificate held by the county.

17 (b) No such sale shall be made to any city, village,  
18 school district, drainage district, or irrigation district by the  
19 county treasurer if a trump bid has been tendered for such real  
20 property by a land bank pursuant to subdivision (3) (a) (ii) or  
21 (4) (a) (ii) of section 16 of this act.

22 Sec. 23. Section 77-1912, Revised Statutes Cumulative  
23 Supplement, 2010, is amended to read:

24 77-1912 (1) The sheriff shall sell the real property in  
25 the same manner provided by law for a sale on execution and shall  
26 at once pay the proceeds thereof to the clerk of the district  
27 court. ~~Any~~ If a land bank has not tendered a trump bid on the

1 real property pursuant to subdivision (3) (a) (ii) or (4) (a) (ii) of  
2 section 16 of this act, any governmental subdivision of the state,  
3 municipal corporation, or drainage or irrigation district to which  
4 any part of the taxes included in the decree of foreclosure is due  
5 may purchase ~~any~~ such real property sold at sheriff's sale. The  
6 provisions of the law for the protection of the purchasers at tax  
7 sales shall apply to purchasers at foreclosure sales provided for  
8 in this section. The sheriff or officer conducting the sale shall  
9 not be entitled to any commission on the money received and paid  
10 out on foreclosure sales provided for herein.

11           (2) The sheriff or officer conducting the sale may, for  
12 any cause he or she deems expedient, postpone the sale of all or  
13 any portion of the real property from time to time until it is  
14 completed, and in every such case, notice of postponement shall  
15 be given by public declaration thereof by the sheriff or officer  
16 at the time and place last appointed for the sale. The public  
17 declaration of the notice of postponement shall include the new  
18 date, time, and place of sale. No other notice of the postponed  
19 sale need be given unless the sale is postponed for longer than  
20 forty-five days beyond the day designated in the notice of sale,  
21 in which event notice shall be given in the same manner as the  
22 original notice of sale is required to be given.

23           Sec. 24. Section 77-3213, Reissue Revised Statutes of  
24 Nebraska, is amended to read:

25           77-3213 Sections 77-3201 to 77-3213 and section 25 of  
26 this act shall be known and may be cited as the Land Reutilization  
27 Act.

1                   Sec. 25. Notwithstanding any provision of the Land  
2 Reutilization Act to the contrary, a land reutilization authority  
3 may transfer property held by such authority to a land bank created  
4 under the Nebraska Municipal Land Bank Act upon such terms and  
5 conditions as may be agreed upon between the authority and the land  
6 bank.

7                   Sec. 25. Original sections 77-1737, 77-1759, 77-1802,  
8 77-1810, and 77-3213, Reissue Revised Statutes of Nebraska, and  
9 sections 77-1736.06 and 77-1912, Revised Statutes Cumulative  
10 Supplement, 2010, are repealed.