

LEGISLATURE OF NEBRASKA

ONE HUNDRED SECOND LEGISLATURE

SECOND SESSION

LEGISLATIVE BILL 863

Introduced by Coash, 27.

Read first time January 06, 2012

Committee: Urban Affairs

A BILL

1 FOR AN ACT relating to the Local Option Municipal Economic
2 Development Act; to amend section 18-2709, Revised
3 Statutes Supplement, 2011; to redefine qualifying
4 business to include film production; and to repeal the
5 original section.
6 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 18-2709, Revised Statutes Supplement,
2 2011, is amended to read:

3 18-2709 (1) Qualifying business means any corporation,
4 partnership, limited liability company, or sole proprietorship which
5 derives its principal source of income from any of the following: The
6 manufacture of articles of commerce; the conduct of research and
7 development; the processing, storage, transport, or sale of goods or
8 commodities which are sold or traded in interstate commerce; the sale
9 of services in interstate commerce; headquarters facilities relating
10 to eligible activities as listed in this section; telecommunications
11 activities, including services providing advanced telecommunications
12 capability; ~~or~~ tourism-related activities; or the production of
13 films, including feature, independent, and documentary films,
14 commercials, and television programs.

15 (2) Qualifying business also means:

16 (a) In cities of the first and second class and villages,
17 a business that derives its principal source of income from the
18 construction or rehabilitation of housing;

19 (b) A business that derives its principal source of
20 income from retail trade, except that no more than forty percent of
21 the total revenue generated pursuant to the Local Option Municipal
22 Economic Development Act for an economic development program in any
23 twelve-month period and no more than twenty percent of the total
24 revenue generated pursuant to the act for an economic development
25 program in any five-year period, commencing from the date of

1 municipal approval of an economic development program, shall be used
2 by the city for or devoted to the use of retail trade businesses. For
3 purposes of this subdivision, retail trade means a business which is
4 principally engaged in the sale of goods or commodities to ultimate
5 consumers for their own use or consumption and not for resale; and

6 (c) In cities with a population of two thousand five
7 hundred inhabitants or less, a business shall be a qualifying
8 business even though it derives its principal source of income from
9 activities other than those set out in this section.

10 (3) If a business which would otherwise be a qualifying
11 business employs people and carries on activities in more than one
12 city in Nebraska or will do so at any time during the first year
13 following its application for participation in an economic
14 development program, it shall be a qualifying business only if, in
15 each such city, it maintains employment for the first two years
16 following the date on which such business begins operations in the
17 city as a participant in its economic development program at a level
18 not less than its average employment in such city over the twelve-
19 month period preceding participation.

20 (4) A qualifying business need not be located within the
21 territorial boundaries of the city from which it is or will be
22 receiving financial assistance.

23 Sec. 2. Original section 18-2709, Revised Statutes
24 Supplement, 2011, is repealed.