

LEGISLATURE OF NEBRASKA

ONE HUNDRED SECOND LEGISLATURE

SECOND SESSION

LEGISLATIVE BILL 924

Introduced by Mello, 5.

Read first time January 10, 2012

Committee: Urban Affairs

A BILL

1 FOR AN ACT relating to the Nebraska Redevelopment Act; to amend
2 sections 58-501, 58-503, 58-504, 58-505, 58-507, 58-508,
3 58-509, 58-510, and 58-533, Reissue Revised Statutes of
4 Nebraska; to change the membership of the board created
5 under the act; to change provisions relating to the area
6 and project applications; to change provisions relating
7 to the division and treatment of property tax; to provide
8 duties for the county assessor, city or joint entity, and
9 Property Tax Administrator; to extend the deadline for
10 the filing of applications under the act; to redefine
11 terms; to harmonize provisions; and to repeal the
12 original sections.

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

1 Section 1. Section 58-501, Reissue Revised Statutes of
2 Nebraska, is amended to read:

3 58-501 Sections 58-501 to 58-533 and section 9 of this
4 act shall be known and may be cited as the Nebraska Redevelopment
5 Act.

6 Sec. 2. Section 58-503, Reissue Revised Statutes of
7 Nebraska, is amended to read:

8 58-503 For purposes of the Nebraska Redevelopment Act,
9 the following definitions apply:

10 (1) Any term not otherwise defined has the same meaning
11 as used in the Interlocal Cooperation Act;

12 (2) Area application means the area application in
13 section 58-504;

14 (3) Area of operation means and includes the area within
15 the corporate limits of the public body;

16 (4) Base year means the year immediately preceding the
17 year during which the project application was submitted;

18 (5) Base-year employee means any individual who was
19 employed in Nebraska and subject to the Nebraska income tax on
20 compensation received from the company or its predecessors during the
21 base year and who is employed at the redevelopment project;

22 (6) Blighted and substandard area means an area either
23 within a city or cities or up to ten miles outside of the area of
24 operation of a city or cities of the metropolitan or primary class,
25 up to six miles outside of the area of operation of a city or cities

1 of the first class, and up to three miles outside of the area of
2 operation of a city or cities of the second class or village or
3 villages, or any combination thereof, in which by reason of (a) the
4 existence of significant areas of unimproved or insufficiently
5 developed land, (b) the lack of a significant number of new and
6 growing business enterprises, (c) the lack of sufficient economic
7 growth, (d) the dilapidation, deterioration, age, or obsolescence of
8 buildings and improvements, (e) the lack of a state, regional, or
9 local redevelopment plan or program, (f) the existence of significant
10 conditions which prevent or do not promote economic growth within
11 such area, (g) the lack of medical and health care facilities, (h)
12 the lack of utilities and other government services infrastructure,
13 or (i) any combination of such factors, there exists (i) insufficient
14 safe, sanitary, and available housing for low-income and moderate-
15 income families and persons, including, but not limited to, persons
16 displaced by clearing of slums or blighted areas or by other public
17 programs, (ii) job growth at less than the United States or midwest
18 average job growth rates, (iii) average wages at less than the United
19 States or midwest average wage levels, (iv) a net emigration of
20 population, (v) population growth that is less than that of the
21 United States or the midwest, (vi) the failure to utilize substantial
22 land areas at their highest and best uses in comparison to other
23 areas within such city or cities, (vii) an abundance of property that
24 is not on the tax rolls at levels at least equal to industrial and
25 residential valuation levels, or (viii) any combination of such

1 results;

2 (7) Board means a board consisting of the Governor, the
3 ~~State Treasurer, and the chairperson~~ executive director of the
4 Nebraska Investment Council; Finance Authority, and:

5 (a) If the applicant is a city, the mayor and director of
6 finance, if any, of such city and the county commissioner who
7 represents that portion of a county in which is located the largest
8 portion of the area proposed to be designated blighted and
9 substandard; or

10 (b) If the applicant is a joint entity, the mayor and
11 director of finance, if any, of the city in which is located the
12 largest portion of the area proposed to be designated blighted and
13 substandard and the county commissioner who represents that portion
14 of a county in which is located the largest portion of the area
15 proposed to be designated blighted and substandard;

16 (8) Bonds means any bonds, including refunding bonds,
17 notes, interim certificates, debentures, or other obligations issued
18 pursuant to the Nebraska Redevelopment Act;

19 (9) City means any city or incorporated village of this
20 state;

21 (10) Company means any person subject to the sales and
22 use taxes and either an income tax imposed by the Nebraska Revenue
23 Act of 1967 or a franchise tax under sections 77-3801 to 77-3807, any
24 corporation, partnership, limited liability company, or joint venture
25 that is or would otherwise be a member of the same unitary group, if

1 incorporated, which is, or whose partners, members, or owners are,
2 subject to such taxes, and any other partnership, limited liability
3 company, subchapter S corporation, or joint venture when the
4 partners, owners, shareholders, or members are subject to such taxes;

5 (11) Contracting public body means the city or joint
6 entity that enters into the project agreement with the company;

7 (12) Designated blighted and substandard area means an
8 area that is a blighted and substandard area which the board
9 designates as such under the Nebraska Redevelopment Act. Such area
10 may include the area of operation of more than one taxing body;

11 (13) Employee means a person employed at a business as a
12 result of the redevelopment project;

13 (14) Equivalent employees means the number of employees
14 computed by dividing the total hours paid in a year by the product of
15 forty times the number of weeks in a year;

16 (15) Governing body means the city council, board of
17 trustees, other legislative body, or person or persons charged with
18 governing the taxing body or contracting public body;

19 (16) Investment means the value of qualified property
20 incorporated into or used at the project after the date of the
21 application. For qualified property owned by the company, the value
22 is the original cost of the property. For qualified property rented
23 by the company, the value is the average net annual rent multiplied
24 by the number of years of the lease for which the company was
25 originally bound, not to exceed ten years or the end of the third

1 year after the entitlement period, whichever is earlier. The rental
2 of land included in and incidental to the leasing of a building is
3 not excluded from the computation;

4 (17) Joint entity means a joint entity created pursuant
5 to the Interlocal Cooperation Act or a joint public agency created
6 pursuant to the Joint Public Agency Act, but consisting only of two
7 or more cities. Such joint entity shall have all of the powers set
8 forth in the Nebraska Redevelopment Act and the Interlocal
9 Cooperation Act or the Joint Public Agency Act;

10 (18) Number of new employees means the number of
11 equivalent employees that are employed at a business as a result of
12 the redevelopment project during a year that are in excess of the
13 number of equivalent employees employed at the redevelopment project
14 ~~during a year over the number of equivalent employees during the base~~
15 ~~year;~~

16 (19) Obligee means any bondholder, agent, or trustee for
17 any bondholder, or lessor demising to any public body property used
18 in connection with a redevelopment project or any assignee or
19 assignees of such lessor's interest or any part thereof;

20 (20) Person means any individual, firm, partnership,
21 corporation, company, association, joint-stock association, limited
22 liability company, subchapter S corporation, or body politic and
23 includes any trustee, receiver, assignee, or similar representative;

24 (21) Personal property has the same meaning as in section
25 77-104;

1 (22) Project agreement means the project agreement
2 provided for in the Nebraska Redevelopment Act between the company
3 and the applicable contracting public body;

4 (23) Project application means the project application in
5 section 58-505;

6 (24) Project area means the area described in the project
7 application. Such area may include the area of operation of more than
8 one taxing body;

9 (25) Public body means any Nebraska county, city, school
10 district, or contracting public body;

11 (26) Qualified business means any business engaged in the
12 activities listed in subdivisions (a) through (e) of this subdivision
13 or in the storage, warehousing, distribution, transportation, or sale
14 of tangible personal property. Qualified business does not include
15 any business activity in which eighty percent or more of the total
16 sales are sales to the ultimate consumer of food prepared for
17 immediate consumption or are sales to the ultimate consumer of
18 tangible personal property which is not assembled, fabricated,
19 manufactured, or processed by the company or used by the purchaser in
20 any of the following activities:

21 (a) The conducting of research, development, or testing
22 for scientific, agricultural, animal husbandry, food product, or
23 industrial purposes;

24 (b) The performance of data processing,
25 telecommunication, insurance, or financial services. Financial

1 services, for purposes of this subdivision, only includes financial
2 services provided by any financial institution subject to tax under
3 sections 77-3801 to 77-3807 or any person or entity licensed by the
4 Department of Banking and Finance or the federal Securities and
5 Exchange Commission;

6 (c) The assembly, fabrication, manufacture, or processing
7 of tangible personal property;

8 (d) The administrative management of any activities,
9 including headquarter facilities, relating to such activity; or

10 (e) Any combination of the activities listed in this
11 subdivision;

12 (27) Qualified property means any tangible property of
13 the type subject to depreciation, amortization, or other recovery
14 under the Internal Revenue Code or the components of such property
15 that will be located and used at the redevelopment project. Qualified
16 property does not include aircraft, barges, motor vehicles, railroad
17 rolling stock, or watercraft or property that is rented by the
18 company that is party to the project agreement to another person;

19 (28) Real property has the same meaning as in section
20 77-103;

21 (29) Redevelopment period means a period of ten years
22 beginning with the year after which the required increases in
23 employment and investment were met or exceeded and the next nine
24 years;

25 (30) Redevelopment project means a project described in

1 the Nebraska Redevelopment Act, approved as described in the act;

2 (31) Redevelopment project valuation means the valuation
3 for assessment of the taxable real property and taxable personal
4 property in the project area of a redevelopment project last
5 certified for the year prior to the effective date of the project
6 agreement;

7 (32) Taxing body means any Nebraska city, village,
8 municipality, county, township, board, commission, authority,
9 district, or other political subdivision or public body of the state
10 having the power to levy ad valorem taxes; and

11 (33) Year means the taxable year of the company.

12 The changes made in this section by Laws 1997, LB 264,
13 apply to investments made or employment on or after January 1, 1997,
14 and for all agreements in effect on or after January 1, 1997.

15 Sec. 3. Section 58-504, Reissue Revised Statutes of
16 Nebraska, is amended to read:

17 58-504 (1) Any city or joint entity may apply to the
18 state to designate an area as a designated blighted and substandard
19 area under the Nebraska Redevelopment Act. Such area may extend up to
20 ten miles outside of the area of operation of an applying city of the
21 metropolitan or primary class or joint entity, up to six miles
22 outside of the area of operation of an applying city of the first
23 class or joint entity, and up to three miles outside of the area of
24 operation of an applying city of the second class or village or joint
25 entity.

1 (2) To apply for such designation, such city or joint
2 entity shall file an area application with the board. The area
3 application shall contain:

4 (a) The proposed area to be designated as the designated
5 blighted and substandard area;

6 (b) A description of the characteristics of such area
7 that cause it to be a blighted and substandard area under the act;

8 (c) A statement that such city or joint entity intends
9 that such area be designated by the board as a designated blighted
10 and substandard area in order to allow for potential redevelopment
11 projects under the act;

12 (d) The application to the state must have a description
13 of the specific project for which a designation has been requested.
14 No other project can be initiated, if such designation is approved,
15 without again making application to the board; and

16 (e) Such other information as the board determines is
17 necessary to decide whether the area is a blighted and substandard
18 area under the act.

19 (3) The city or joint entity filing such area application
20 shall at the same time of filing such application also provide notice
21 of such filing and a copy of such area application to any governing
22 body of the other public bodies whose area of operation is covered in
23 whole or in part by the proposed designated blighted and substandard
24 area and to any school district which has territory within ~~twenty~~
25 ~~miles of or abutting~~ the border of the proposed designated blighted

1 and substandard area.

2 (4) Upon receipt of an area application, the board shall
3 schedule a public hearing to be held within fifteen days after such
4 receipt to receive public input. The board shall publish notice of
5 the public hearing for five business days in advance of the hearing
6 in some legal newspaper of general circulation near the proposed
7 designated area. The notice shall list the name of the city or joint
8 entity that filed the application and the legal or other sufficient
9 description of the area and shall state that the area is proposed to
10 be designated as a blighted and substandard area under the Nebraska
11 Redevelopment Act.

12 (5) The board shall determine by majority vote no sooner
13 than fifteen days but no later than sixty days after the date of
14 filing of the area application whether to approve or disapprove the
15 area application's request for designation of such area. Within ten
16 days after receipt of such area application, any other governing body
17 of any public body whose area of operation is included in whole or in
18 part in the proposed designated blighted and substandard area and any
19 school district which has territory within ~~twenty miles of or~~
20 abutting the border of the proposed designated blighted and
21 substandard area may file a written objection with the board which
22 the board shall consider in its decision as to whether or not it
23 approves the application.

24 (6) The address of the board shall be the address of the
25 Department of Revenue.

1 (7) The board may approve the area application if the
2 proposed designated blighted and substandard area fits within the
3 definition of such an area under the act and if such area application
4 is in the public interest. Such designation shall not affect whether
5 such area is considered blighted or substandard under any law other
6 than the act. Such designation shall if approved remain in effect for
7 project applications filed within twelve months after the date of
8 designation if at the time of any project application being
9 submitted, the project area continues to fit within the definition of
10 blighted and substandard relied on in making the original
11 designation.

12 (8) The board may modify or return the area application
13 or approve a smaller blighted and substandard area that is contained
14 within the area proposed in the area application without additional
15 notice or publication if in the public interest and if such smaller
16 area is within the definition of a blighted and substandard area
17 under the act.

18 (9) If the board approves such area application, then,
19 for purposes of Article VIII, section 12, of the Constitution of
20 Nebraska, as applied in the act, the designated blighted and
21 substandard area is considered as determined by law to be a
22 designated blighted and substandard area and the property within such
23 area is considered to be determined by law to be substandard and
24 blighted property.

25 (10) The area application and all supporting information

1 shall be considered public information.

2 Sec. 4. Section 58-505, Reissue Revised Statutes of
3 Nebraska, is amended to read:

4 58-505 (1) A company may file a project application with
5 the city or joint entity that filed the area application for the
6 designated blighted and substandard area to undertake and complete a
7 redevelopment project in such designated area and to obtain tax
8 increment financing under the Nebraska Redevelopment Act for such
9 project. Such application may be filed either before or after
10 approval by the board of the area application for designation of such
11 area. The company shall, at the time of filing the project
12 application with the city or joint entity, also file a copy of such
13 project application with the governing body of each of the public
14 bodies whose area of operation or the area within three miles thereof
15 includes in whole or in part the project area. Not later than five
16 calendar days before approving or disapproving the project
17 application, the city or joint entity shall, by United States mail,
18 postage prepaid, mail to the owners of real property described in the
19 project application as being within the project area a written notice
20 stating that the property owned by the person or persons is proposed
21 to be included in the project area of a project under the Nebraska
22 Redevelopment Act, that a project application has been filed with the
23 city or joint entity, the date, time, and location of the public
24 hearing, and where additional information may be obtained. The notice
25 shall be sent to the owner or owners of the real property as their

1 names appear and at the address indicated in the records of the
2 county assessor for property tax purposes on the business day
3 immediately prior to the date of the mailing. The city or joint
4 entity may, but shall not be required to, send the notice by
5 certified or registered United States mail. Substantial compliance
6 with this notice requirement shall be deemed sufficient for all
7 purposes of the act.

8 (2) Such city or joint entity shall no sooner than twenty
9 days after the filing of such project application, and no later than
10 sixty days after the filing of such project application, either
11 approve or disapprove such project application. Such project
12 application shall not be approved if (a) the governing body of a
13 county whose area of operation includes in whole or part the project
14 area, (b) the governing body of a city whose area of operation and
15 the area within three miles thereof includes in whole or part the
16 project area, or (c) any electric utility serving the project area
17 shall, within fifteen days after receipt of the project application,
18 file with such city or joint entity a written objection to approval
19 of the project application signed by the head of such governing body.
20 The city, county, or electric utility may withdraw the objection
21 within thirty days after it is filed.

22 (3) The project application shall contain:

23 (a) The exact name of the company and any related
24 companies which will be included in the redevelopment project;

25 (b) A statement describing in detail the nature of the

1 company's business, including the products sold and respective
2 markets;

3 (c) A legal description of the project area;

4 (d) A detailed narrative that describes the proposed
5 redevelopment project, including an allocation of the proposed
6 expenditures for site acquisition, site preparation, and buildings
7 and improvement construction, equipment, and other personal property
8 purchases and leases;

9 (e) A request that the proposed redevelopment project be
10 considered for approval by such city or joint entity;

11 (f) A copy of the company's internal authorization for
12 the redevelopment project; and

13 (g) The number of base-year employees and the expected
14 number of new employees, including the expected timing of the hiring
15 of the new employees, the anticipated timing and anticipated amounts
16 of new investment in buildings, equipment, and other real property
17 and personal property and the average salaries expected by category
18 for the new employees to be employed at the redevelopment project.

19 (4) The city or joint entity shall determine whether to
20 approve the company's project application based on its determination
21 as to whether the redevelopment project will sufficiently help enable
22 the state and local communities to accomplish the legislative
23 purposes of the act. The city or joint entity shall be governed by
24 and shall take into consideration all of the following factors in
25 making such determination:

1 (a) The timing, number, wage levels, employee benefit
2 package, and types of new jobs to be created by the redevelopment
3 project;

4 (b) The type of industry in which the company and the
5 project would be engaged;

6 (c) The timing, amount of, and types of investment in
7 qualified property to be made at the project;

8 (d) Whether the city or joint entity believes the
9 redevelopment project would occur in this state regardless of whether
10 the application was approved; and

11 (e) Whether the benefits allowed by the act for the
12 redevelopment project, when compared to the local tax revenue and
13 fees generated by the redevelopment project investment and
14 employment, both on a direct and indirect multiplier basis, provide
15 an adequate net benefit to the public bodies affected by such
16 redevelopment project.

17 (5) A project shall be considered eligible under the act
18 and may be approved by the city or joint entity only if the
19 application defines a redevelopment project (a) which is consistent
20 with the legislative purposes contained in section 58-502 in one or
21 more qualified business activities within the project area and (b)
22 that will result at the project area in the investment in qualified
23 property of at least ~~fifty~~ twenty-five million dollars and the hiring
24 of a number of new employees of at least ~~five hundred,~~ one hundred
25 fifty, and when such new investment and employment will occur within

1 five years, meaning by the end of the fourth year after the end of
2 the year the application was filed, and such new investment and
3 employment will be maintained for the entire redevelopment period.
4 These thresholds shall constitute the required levels of employment
5 and investment for purposes of the act.

6 (6) If the redevelopment project application is approved
7 by the city or joint entity, the city or joint entity shall as the
8 contracting public body enter into a written project agreement with
9 the company. The project agreement shall be executed on behalf of the
10 contracting public body by the person normally or specifically
11 authorized to execute agreements on behalf of such entity. In the
12 project agreement, the company shall agree to complete the
13 redevelopment project and the contracting public body shall designate
14 the approved plans of the company as a redevelopment project and, in
15 consideration of the company's agreement, agree to allow the
16 provisions relating to indebtedness by a city or cities and the
17 payment of such indebtedness through tax increment financing as
18 provided for in the act. The contracting public body shall not incur
19 indebtedness under the agreement except for the purposes of land
20 acquisition, site preparation, extension of public services, and
21 improvements to the site, including buildings for other than
22 residential use. The project agreement shall contain other terms as
23 the city or joint entity and the company determine are appropriate or
24 necessary to protect the affected public bodies and to carry out the
25 legislative purposes of the act and may contain terms for a recapture

1 or other remedy if the company fails to attain the required levels of
2 employment and investment within the time period contained in the act
3 or fails to maintain such levels for the redevelopment period. The
4 project application shall be considered as part of the project
5 agreement.

6 (7) If the city or joint entity approves such project
7 application, then the project area is, for purposes of Article VIII,
8 section 12, of the Constitution of Nebraska, as applied in the act,
9 considered as determined by law to be substandard and blighted
10 property in a redevelopment project.

11 Sec. 5. Section 58-507, Reissue Revised Statutes of
12 Nebraska, is amended to read:

13 58-507 (1) The project agreement shall contain a
14 provision that all property taxes levied on the assessed valuation of
15 the real property or personal property, or both, or any portion
16 thereof, in the project area of the redevelopment project by or for
17 the benefit of all taxing bodies shall be divided, for a period not
18 to exceed fifteen years after the effective date of such project
19 agreement, as follows:

20 ~~(1)~~ (a) That portion of the property tax which is
21 produced by the levy at the rate fixed each year by or for each such
22 taxing body upon the redevelopment project valuation shall be paid
23 into the funds of each such taxing body in the same proportion as are
24 all other taxes collected by or for such taxing body. When there is
25 not a redevelopment project valuation on a parcel or parcels, the

1 county assessor shall determine the redevelopment project valuation
2 based upon the fair market valuation of the parcel or parcels as of
3 January 1 of the year prior to the year that the property taxes are
4 to be divided. The county assessor shall provide written notice of
5 the redevelopment project valuation to the taxing body and the owner.
6 The taxing body or the owner may protest the valuation to the county
7 board of equalization within thirty days after the date of the
8 valuation notice. All provisions of section 77-1502 except dates for
9 filing of a protest, the period for hearing protests, and the date
10 for mailing notice of the county board of equalization's decision are
11 applicable to any protest filed pursuant to this section. The county
12 board of equalization shall decide any protest filed pursuant to this
13 section within thirty days after the filing of the protest. The
14 county clerk shall mail a copy of the decision made by the county
15 board of equalization on protests pursuant to this section to the
16 taxing body or the owner within seven days after the board's
17 decision. Any decision of the county board of equalization may be
18 appealed to the Tax Equalization and Review Commission, in accordance
19 with section 77-5013, within thirty days after the date of the
20 decision; and

21 ~~(2)~~—(b) That portion of the property tax on real
22 property, personal property, or both, as provided in the project
23 agreement in the redevelopment project in excess of such amount, if
24 any, shall be allocated to and, when collected, paid into a special
25 fund established by the contracting public body to pay the principal

1 of, the interest on, and any premiums due in connection with the
2 bonds, loans, notes, advances of money, or other indebtedness
3 incurred by, whether funded, refunded, assumed, or otherwise, such
4 contracting public body for financing or refinancing, in whole or in
5 part, such redevelopment project. When such bonds, loans, notes,
6 advances of money, or other indebtedness, including interest and
7 premiums due, have been paid, the contracting public body shall so
8 notify the county assessor and county treasurer and all property
9 taxes upon taxable real property and personal property in such
10 redevelopment project shall thereafter be paid into the funds of and
11 applied as all other taxes of the respective taxing bodies; and -

12 (c) Any interest and penalties due for delinquent taxes
13 shall be paid into the funds of each such taxing body in the same
14 proportions as are all other taxes collected by or for such taxing
15 body.

16 (2) Beginning on the effective date of this act, all
17 notices of the provision for dividing property taxes shall be sent by
18 the taxing body to the county assessor on forms prescribed by the
19 Property Tax Administrator. The notice shall be sent to the county
20 assessor on or before August 1 of the year of the effective date of
21 the project agreement. Failure to satisfy the notice requirement of
22 this section shall result in the taxes, for all taxable years
23 affected by the failure to give notice of the effective date of the
24 project agreement, remaining undivided and being paid into the funds
25 for each taxing body receiving property taxes generated by the

1 property in the redevelopment project. However, the redevelopment
2 project valuation for the remaining division of property taxes in
3 accordance with subdivisions (1)(a) and (b) of this section shall be
4 the last certified valuation for the taxable year prior to the
5 effective date of the project agreement to divide the taxes for the
6 remaining portion of the fifteen-year period pursuant to subsection
7 (1) of this section.

8 Sec. 6. Section 58-508, Reissue Revised Statutes of
9 Nebraska, is amended to read:

10 58-508 Commencing on the effective date of the project
11 agreement, the county assessor, or county clerk if he or she is ex
12 officio county assessor, of the county or counties in which the
13 redevelopment project is located, shall transmit to the contracting
14 public body and to the county treasurer, upon request, the
15 redevelopment project valuation and shall annually certify, on or
16 before August 20, to such contracting public body and the county
17 treasurer the current valuation for assessment of taxable real
18 property and personal property in the redevelopment project. The
19 county assessor shall undertake, upon request of such contracting
20 public body, an investigation, examination, and inspection of the
21 taxable real property and taxable personal property in the
22 redevelopment project and shall reaffirm or revalue the current value
23 for assessment for such property in accordance with the findings of
24 such investigation, examination, and inspection.

25 Sec. 7. Section 58-509, Reissue Revised Statutes of

1 Nebraska, is amended to read:

2 58-509 (1) In each year after the determination of a
3 redevelopment project valuation as outlined in section 58-508, the
4 county assessor and the county board of equalization of each affected
5 county shall include no more than the redevelopment project valuation
6 of the taxable real property and taxable personal property in the
7 redevelopment project in the assessed valuation upon which is
8 computed the rates of all taxes levied by any taxing body on such
9 project. In each year for which the current assessed valuation on
10 taxable real property and taxable personal property in the
11 redevelopment project exceeds the redevelopment project valuation,
12 the county treasurer shall remit to the contracting public body,
13 instead of to any taxing body, that proportion of all property taxes
14 on real property and personal property paid that year on the
15 redevelopment project which such excess valuation bears to the
16 current assessed valuation.

17 (2) If the current assessed valuation on taxable real
18 property and taxable personal property in the redevelopment project
19 is less than the redevelopment project valuation, the current
20 assessed valuation shall be the value assessable to the taxing body
21 for the current year and there will be no excess valuation or tax
22 proceeds available to the redevelopment project. The redevelopment
23 project valuation shall be reinstated when the current assessed
24 valuation on taxable real property and taxable personal property in
25 the redevelopment project is equal to or greater than the

1 redevelopment project valuation.

2 Sec. 8. Section 58-510, Reissue Revised Statutes of
3 Nebraska, is amended to read:

4 58-510 In the proceedings for the issuance of bonds, the
5 making of loans or advances of money, or the incurring of any
6 indebtedness, whether funded, refunded, assumed, or otherwise, by a
7 contracting public body to finance or refinance, in whole or in part,
8 a redevelopment project, the portion of taxes mentioned in
9 subdivision ~~(2)~~(1)(b) of section 58-507 shall be pledged for the
10 payment of the principal of, premium, if any, and interest on such
11 bonds, loans, notes, advances, or indebtedness.

12 Sec. 9. (1) On or before December 1 of each year, each
13 city or joint entity which has approved any project application for a
14 redevelopment project which is financed in whole or in part through
15 the use of tax-increment financing shall provide a report to the
16 Property Tax Administrator on each such redevelopment project which
17 includes the following information:

18 (a) A copy of the project application, including the date
19 upon which the application was approved, the effective date for
20 dividing the property tax as provided in section 58-507, and the
21 location and boundaries of the property in the redevelopment project;
22 and

23 (b) A short narrative description of the type of
24 development undertaken by the redevelopment project with the
25 financing and the type of business or commercial activity locating

1 within the redevelopment project area as a result of the
2 redevelopment project.

3 (2) The Property Tax Administrator shall compile a report
4 for each active redevelopment project, based upon information
5 provided by the cities or joint entities pursuant to subsection (1)
6 of this section and information reported by the county assessor or
7 county clerk on the certificate of taxes levied pursuant to section
8 77-1613.01. Each report shall be transmitted to the Clerk of the
9 Legislature no later than March 1 of each year. The report may
10 include any recommendations of the Property Tax Administrator as to
11 what other information should be included in the report from the
12 cities or joint entities so as to facilitate analysis of the uses,
13 purposes, and effectiveness of tax-increment financing and the
14 process for its implementation or to streamline the reporting process
15 provided for in this section to eliminate unnecessary paperwork.

16 Sec. 10. Section 58-533, Reissue Revised Statutes of
17 Nebraska, is amended to read:

18 58-533 There shall be no area applications or project
19 applications filed on or after February 1, 2000,~~2022,~~ without
20 further authorization of the Legislature, except that all area
21 applications, all project applications, and all project agreements
22 pending, approved, or entered into before such date shall continue in
23 full force and effect.

24 Sec. 11. Original sections 58-501, 58-503, 58-504,
25 58-505, 58-507, 58-508, 58-509, 58-510, and 58-533, Reissue Revised

1 Statutes of Nebraska, are repealed.