

AMENDMENTS TO LB496  
(Amendments to AM1378)

Introduced by Friesen, 34.

1           1. Insert the following new section:

2           Sec. 4. Section 18-2147, Revised Statutes Cumulative Supplement,  
3 2016, is amended to read:

4           18-2147 (1) Any redevelopment plan as originally approved or as  
5 later modified pursuant to section 18-2117 may contain a provision that  
6 any ad valorem tax levied upon real property, or any portion thereof, in  
7 a redevelopment project for the benefit of any public body shall be  
8 divided, for a period not to exceed fifteen years after the effective  
9 date as identified in the project redevelopment contract or in the  
10 resolution of the authority authorizing the issuance of bonds pursuant to  
11 section 18-2124, as follows:

12           (a) That portion of the ad valorem tax which is produced by the levy  
13 at the rate fixed each year by or for each such public body upon the  
14 redevelopment project valuation shall be paid into the funds of each such  
15 public body in the same proportion as are all other taxes collected by or  
16 for the body. When there is not a redevelopment project valuation on a  
17 parcel or parcels, the county assessor shall determine the redevelopment  
18 project valuation based upon the fair market valuation of the parcel or  
19 parcels as of January 1 of the year prior to the year that the ad valorem  
20 taxes are to be divided. The county assessor shall provide written notice  
21 of the redevelopment project valuation to the authority as defined in  
22 section 18-2103 and the owner. The authority or owner may protest the  
23 valuation to the county board of equalization within thirty days after  
24 the date of the valuation notice. All provisions of section 77-1502  
25 except dates for filing of a protest, the period for hearing protests,  
26 and the date for mailing notice of the county board of equalization's

1 decision are applicable to any protest filed pursuant to this section.  
2 The county board of equalization shall decide any protest filed pursuant  
3 to this section within thirty days after the filing of the protest. The  
4 county clerk shall mail a copy of the decision made by the county board  
5 of equalization on protests pursuant to this section to the authority or  
6 owner within seven days after the board's decision. Any decision of the  
7 county board of equalization may be appealed to the Tax Equalization and  
8 Review Commission, in accordance with section 77-5013, within thirty days  
9 after the date of the decision;

10 (b) That portion of the ad valorem tax on real property, as provided  
11 in the redevelopment contract or bond resolution, in the redevelopment  
12 project in excess of such amount, if any, shall be allocated to and, when  
13 collected, paid into a special fund of the authority to be used solely to  
14 pay the principal of, the interest on, and any premiums due in connection  
15 with the bonds of, loans, notes, or advances of money to, or indebtedness  
16 incurred by, whether funded, refunded, assumed, or otherwise, such  
17 authority for financing or refinancing, in whole or in part, the  
18 redevelopment project. When such bonds, loans, notes, advances of money,  
19 or indebtedness, including interest and premiums due, have been paid, the  
20 authority shall so notify the county assessor and county treasurer and  
21 all ad valorem taxes upon taxable real property in such a redevelopment  
22 project shall be paid into the funds of the respective public bodies; and

23 (c) Any interest and penalties due for delinquent taxes shall be  
24 paid into the funds of each public body in the same proportion as are all  
25 other taxes collected by or for the public body.

26 (2) The effective date of a provision dividing ad valorem taxes as  
27 provided in subsection (1) of this section shall not occur until such  
28 time as the real property in the redevelopment project is within the  
29 corporate boundaries of the city. This subsection shall not apply to a  
30 redevelopment project involving a formerly used defense site as  
31 authorized in section 18-2123.01.

1           (3) Beginning August 1, 2006, all notices of the provision for  
2 dividing ad valorem taxes shall be sent by the authority to the county  
3 assessor on forms prescribed by the Property Tax Administrator. The  
4 notice shall be sent to the county assessor on or before August 1 of the  
5 year of the effective date of the provision. Failure to satisfy the  
6 notice requirement of this section shall result in the taxes, for all  
7 taxable years affected by the failure to give notice of the effective  
8 date of the provision, remaining undivided and being paid into the funds  
9 for each public body receiving property taxes generated by the property  
10 in the redevelopment project. However, the redevelopment project  
11 valuation for the remaining division of ad valorem taxes in accordance  
12 with subdivisions (1)(a) and (b) of this section shall be the last  
13 certified valuation for the taxable year prior to the effective date of  
14 the provision to divide the taxes for the remaining portion of the  
15 fifteen-year period pursuant to subsection (1) of this section.

16           (4) If a redevelopment plan includes a redevelopment project for the  
17 construction of workforce housing as defined in section 18-2103, the only  
18 ad valorem taxes that shall be divided pursuant to subsection (1) of this  
19 section shall be the ad valorem taxes of the city or village approving  
20 such redevelopment plan.

21           2. On page 1, line 19, after the period insert "If a redevelopment  
22 project for the construction of workforce housing includes the use of  
23 tax-increment financing, such tax-increment financing shall comply with  
24 subsection (4) of section 18-2147.".