

LEGISLATURE OF NEBRASKA
ONE HUNDRED SIXTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 473

Introduced by Dorn, 30.

Read first time January 18, 2019

Committee: Revenue

- 1 A BILL FOR AN ACT relating to revenue and taxation; to amend sections
2 77-1619 and 77-1620, Reissue Revised Statutes of Nebraska; to change
3 provisions relating to judgments against public corporations or
4 political subdivisions; to authorize loans as prescribed; to provide
5 powers and duties for the State Treasurer; and to repeal the
6 original sections.
7 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 77-1619, Reissue Revised Statutes of Nebraska, is
2 amended to read:

3 77-1619 Whenever any judgment shall be obtained in any court of
4 competent jurisdiction in this state, including any federal court, for
5 the payment of a sum of money against any county, township, school
6 district, road district, town or city board of education, or against any
7 municipal corporation or political subdivision, or when any such judgment
8 has been recovered and now remains unpaid, it shall be the duty of the
9 county board, school district board of education, city council, or other
10 corporate officers, as the case may require, to make provision for the
11 prompt payment of the judgement same.

12 Sec. 2. Section 77-1620, Reissue Revised Statutes of Nebraska, is
13 amended to read:

14 77-1620 (1) If the amount of revenue derived from taxes levied and
15 collected for ordinary purposes is shall be insufficient to meet and pay
16 the current expenses for the year in which the levy is made, and also to
17 pay the judgments remaining unpaid, it shall be the duty of the proper
18 officers of the public corporation or political subdivision, against
19 which any such judgments shall have been obtained and remain unsatisfied,
20 to at once proceed and levy and collect a sufficient amount of money to
21 pay off and discharge such judgments.

22 (2) If constitutional or statutory provisions prevent any public
23 corporation or political subdivision from budgeting sufficient funds to
24 pay any judgment in its entirety, the governing body of the public
25 corporation or political subdivision shall pay that portion that can be
26 paid under the Constitution of Nebraska and laws of this state and then
27 shall make application to the State Treasurer for the loan of sufficient
28 funds to pay the judgment in full. When application is made for such a
29 loan, the State Treasurer shall make such investigation as he or she
30 deems necessary to determine the validity of the judgment and the
31 inability of the public corporation or political subdivision to make full

1 payment on the judgment, and the period of time during which the public
2 corporation or political subdivision will be able to repay the loan.
3 After determining that such loan will be proper, the State Treasurer
4 shall make the loan from funds available for investment in the state
5 treasury, which loan shall carry an interest rate of one-half of one
6 percent per annum. The State Treasurer shall determine the schedule for
7 repayment, and the governing body of the public corporation or political
8 subdivision shall annually budget and levy a sufficient amount to meet
9 the schedule until the loan, with interest, has been repaid in full.

10 Sec. 3. Original sections 77-1619 and 77-1620, Reissue Revised
11 Statutes of Nebraska, are repealed.