

AMENDMENTS TO LB1024  
(Amendments to E&R amendments, ER154)

Introduced by Wayne, 13.

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

3           Section 1. Sections 1 to 7 of this act shall be known and may be  
4 cited as the Economic Recovery Act.

5           Sec. 2. The Legislature finds that:

6           (1) The COVID-19 public health emergency has caused widespread  
7 economic, social, and public health-related turmoil that deepened  
8 existing disparities;

9           (2) The social and economic challenges caused and exacerbated by the  
10 COVID-19 public health emergency include high unemployment, wage  
11 decreases, increased homelessness, and food insecurity;

12           (3) The impact of the COVID-19 public health emergency and related  
13 challenges were disproportionately felt in low-income and minority  
14 communities such as North Omaha and South Omaha;

15           (4) The social and economic challenges in North Omaha and South  
16 Omaha have persisted for multiple generations, partially fueled by past  
17 racial segregation and the historical practice known as redlining;

18           (5) Funding under the federal American Rescue Plan Act of 2021  
19 presents a once-in-a-lifetime opportunity to respond to the challenges  
20 facing North Omaha and South Omaha that have been worsened by the  
21 COVID-19 public health emergency; and

22           (6) Federal guidance issued by the United States Department of the  
23 Treasury has identified qualified census tracts as areas in which certain  
24 activities and investments will be deemed presumptively eligible for the  
25 use of funds under the federal American Rescue Plan Act of 2021.

26           Sec. 3. For purposes of the Economic Recovery Act, qualified census

1 tract means a qualified census tract as defined in 26 U.S.C. 42(d)(5)(B)  
2 (ii)(I), as such section existed on January 1, 2022.

3 Sec. 4. (1) A primary responsibility of the Economic Recovery and  
4 Incentives Division of the Department of Economic Development shall be to  
5 utilize federal or state funding to award grants as provided in this  
6 section. The division shall develop a coordinated plan and a grant  
7 application and scoring process to award grants under subsection (3) of  
8 this section.

9 (2) The coordinated plan developed pursuant to this section shall  
10 direct and prioritize the use of grants toward the economic recovery of  
11 those communities and neighborhoods within qualified census tracts  
12 located within the boundaries of a city of the metropolitan class that  
13 were disproportionately impacted by the COVID-19 public health emergency  
14 and related challenges, with an emphasis on housing needs, assistance for  
15 small businesses, job training, and business development within such  
16 communities and neighborhoods. In prioritizing the use of grants, the  
17 Economic Recovery and Incentives Division may rely on any studies  
18 produced pursuant to section 5 of this act. Not later than August 1,  
19 2022, the division shall submit a copy of an initial coordinated plan to  
20 the Economic Recovery Special Committee of the Legislature. Not later  
21 than December 1, 2022, the division shall submit a final copy of such  
22 coordinated plan to the Economic Recovery Special Committee of the  
23 Legislature.

24 (3)(a) The Economic Recovery and Incentives Division shall create a  
25 Qualified Census Tract Recovery Grant Program to provide funding to  
26 public and private entities located within qualified census tracts  
27 throughout the state to respond to the negative impact of the COVID-19  
28 public health emergency.

29 (b) Not to exceed ten million dollars in grants shall be distributed  
30 under the grant program to eligible grantees in qualified census tracts  
31 that are located in a city of the primary class.

1           (c) Not to exceed ten million dollars in grants shall be distributed  
2 under the grant program to eligible grantees in qualified census tracts  
3 that are located outside of a city of the metropolitan class or a city of  
4 the primary class.

5           (d) All remaining funds shall be allocated for grants distributed  
6 under the grant program to eligible grantees in qualified census tracts  
7 that are located in a city of the metropolitan class, with no less than  
8 thirty-five million dollars in such grants allocated to eligible grantees  
9 which are located south of Dodge Street and east of 72nd Street in such  
10 city and no less than fifty-five million dollars in such grants allocated  
11 to eligible grantees which are located north of Dodge Street and east of  
12 72nd Street in such city. Any funds not applied for within such areas may  
13 be allocated for grants to eligible grantees in any qualified census  
14 tract in such city.

15           (4) In addition to grants under the Qualified Census Tract Recovery  
16 Grant Program, the Economic Recovery and Incentives Division shall  
17 provide grant funding for the following purposes:

18           (a) Not to exceed sixty million dollars in grants to a nonprofit  
19 economic development organization for the development of a business park  
20 located within or adjacent to one or more qualified census tracts located  
21 within the boundaries of a city of the metropolitan class and within two  
22 miles of a major airport as defined in section 13-3303;

23           (b) Not to exceed thirty million dollars in grants to one or more  
24 innovation hubs located in one or more qualified census tracts and within  
25 two miles of a major airport as defined in section 13-3303 providing  
26 services and resources within qualified census tracts located within the  
27 boundaries of a city of the metropolitan class;

28           (c) Not to exceed three million dollars in grants in fiscal year  
29 2022-23 and not to exceed three million dollars in fiscal year 2023-24 to  
30 a nonprofit organization partnering with a city of the metropolitan class  
31 for the purpose of providing internships and crime prevention within

1 qualified census tracts located within the boundaries of such city;

2 (d) Not to exceed five million dollars in grants pursuant to the  
3 purposes of the Nebraska Film Office Fund on or before June 30, 2023, for  
4 the purpose of producing a film on Chief Standing Bear, a portion of  
5 which is to be filmed in one or more qualified census tracts located  
6 within the boundaries of a city of the metropolitan class;

7 (e) Not to exceed twenty million dollars in grants to public or  
8 private entities to prepare land parcels for affordable housing or  
9 conduct other eligible affordable housing interventions under the federal  
10 American Rescue Plan Act of 2021 including production, rehabilitation,  
11 and preservation of affordable rental housing and affordable  
12 homeownership units within qualified census tracts which are located in a  
13 city of the metropolitan class;

14 (f) Not to exceed twenty million dollars in grants to public or  
15 private entities to prepare land parcels for affordable housing or  
16 conduct other eligible affordable housing interventions under the federal  
17 American Rescue Plan Act of 2021 including production, rehabilitation,  
18 and preservation of affordable rental housing and affordable  
19 homeownership units within qualified census tracts which are located in a  
20 city of the primary class;

21 (g) Not to exceed five million dollars in grants to a county  
22 agricultural society with facilities within a city of the primary class  
23 to recoup lost revenue; and

24 (h) Not to exceed one million dollars in grants to a postsecondary  
25 institution located in a qualified census tract in a city of the  
26 metropolitan class to provide funding for a financial literacy program to  
27 improve economic and health outcomes for individuals residing in  
28 qualified census tracts.

29 (5) For purposes of subdivisions (4)(e) and (f) of this section,  
30 preparing land parcels shall include:

31 (a) Laying drinking water mains, lines, pipes, or channels;

1       (b) Rehabilitation, renovation, maintenance, or other costs to  
2 secure vacant or abandoned properties in disproportionately impacted  
3 communities;

4       (c) Acquiring and securing legal title of vacant or abandoned  
5 properties in disproportionately impacted communities;

6       (d) Removal and remediation of environmental contaminants or hazards  
7 from vacant or abandoned properties in disproportionately impacted  
8 communities when conducted in compliance with applicable environmental  
9 laws or regulations;

10       (e) Demolition or deconstruction of vacant or abandoned buildings in  
11 disproportionately impacted communities; and

12       (f) Costs associated with inspection fees and other administrative  
13 costs incurred to ensure compliance with applicable environmental laws  
14 and regulations for demolition or other remediation activities in  
15 disproportionately impacted communities.

16       (6) All grants made by the Economic Recovery and Incentives Division  
17 utilizing federal funds allocated to the State of Nebraska from the  
18 federal Coronavirus State Fiscal Recovery Fund under the federal American  
19 Rescue Plan Act of 2021 shall meet the eligible uses under such act and  
20 any relevant guidance on the use of such funds by the United States  
21 Department of the Treasury.

22       Sec. 5. (1) The Economic Recovery Special Committee of the  
23 Legislature is established as a special committee of the Legislature to  
24 perform the duties provided in the Economic Recovery Act. The special  
25 legislative committee shall consist of the chairperson of the Urban  
26 Affairs Committee of the Legislature, who shall serve as chairperson of  
27 the special legislative committee, the Speaker of the Legislature, the  
28 chairperson of the Appropriations Committee of the Legislature or his or  
29 her designee, and four other members of the Legislature appointed by the  
30 chairperson of the Executive Board of the Legislative Council. The  
31 appointed members of the special legislative committee shall include

1 members who represent legislative districts containing one or more  
2 qualified census tracts located within the boundaries of a city of the  
3 metropolitan class.

4 (2) The Executive Board of the Legislative Council shall provide  
5 staff as required by the special legislative committee from existing  
6 legislative staff. In addition, the special legislative committee may  
7 hire additional staff, make expenditures for travel, and enter into  
8 contracts for consulting, engineering, and development studies. The  
9 contracts shall be based on competitive bids and subject to approval of  
10 the executive board upon the recommendation of a majority of the members  
11 of the special legislative committee. It is the intent of the Legislature  
12 to appropriate two million dollars for fiscal year 2022-23 to carry out  
13 this section.

14 (3) The special legislative committee may hold hearings and request  
15 and receive reports from the federal government, state agencies,  
16 counties, municipalities, and other public and private entities regarding  
17 the impact of the COVID-19 public health emergency on low-income and  
18 minority communities in Nebraska. The special legislative committee may  
19 hold one or more closed sessions for the receipt of confidential  
20 information if at least one-half of the members of the special  
21 legislative committee vote in open session to hold a closed session.

22 (4) No later than June 30, 2022, the special legislative committee  
23 shall issue a request for proposals for studies on potential eligible  
24 uses of funds made available under the federal American Rescue Plan Act  
25 of 2021 or state funds within or adjacent to qualified census tracts  
26 located within the boundaries of a city of the metropolitan class. Such  
27 studies shall include, but not be limited to, potential eligible uses of  
28 such funds in the areas of entrepreneurship, housing, employment, job  
29 creation, and small business assistance. Copies of all such studies shall  
30 be forwarded to the Economic Recovery and Incentives Division of the  
31 Department of Economic Development.

1           Sec. 6. (1) The Economic Recovery Contingency Fund is created. The  
2 fund shall consist of transfers by the Legislature to carry out the  
3 Economic Recovery Act. Any money in the fund available for investment  
4 shall be invested by the state investment officer pursuant to the  
5 Nebraska Capital Expansion Act and the Nebraska State Funds Investment  
6 Act.

7           (2) No funds shall be expended from the Economic Recovery  
8 Contingency Fund until the Economic Recovery and Incentives Division of  
9 the Department of Economic Development has submitted a final copy of its  
10 coordinated plan to the Economic Recovery Special Committee of the  
11 Legislature pursuant to section 4 of this act and to the budget  
12 administrator of the budget division of the Department of Administrative  
13 Services.

14           Sec. 7. (1) It is the intent of the Legislature to appropriate two  
15 hundred fifty million dollars from federal funds for fiscal year 2022-23  
16 to the Department of Economic Development to carry out the Economic  
17 Recovery Act. The federal funds described in this subsection are the  
18 funds allocated to the State of Nebraska from the federal Coronavirus  
19 State Fiscal Recovery Fund pursuant to the federal American Rescue Plan  
20 Act of 2021, 42 U.S.C. 802, as amended.

21           (2) Of the intended appropriation described in subsection (1) of  
22 this section, the Department of Economic Development shall not expend  
23 eighty million dollars of such federal funds until the Economic Recovery  
24 and Incentives Division of the department has submitted a final copy of  
25 its coordinated plan to the Economic Recovery Special Committee of the  
26 Legislature pursuant to section 4 of this act.

27           (3) The State Treasurer shall transfer any interest earned after the  
28 effective date of this act on federal funds allocated to the State of  
29 Nebraska from the federal Coronavirus State Fiscal Recovery Fund pursuant  
30 to the federal American Rescue Plan Act of 2021, 42 U.S.C. 802, as  
31 amended, to the Economic Recovery Contingency Fund on such dates and in

1 such amounts as directed by the budget administrator of the budget  
2 division of the Department of Administrative Services.

3 (4) It is the intent of the Legislature that any unobligated amount  
4 as of July 1, 2024, of the federal funds allocated to the State of  
5 Nebraska from the federal Coronavirus State Fiscal Recovery Fund pursuant  
6 to the federal American Rescue Plan Act of 2021, 42 U.S.C. 802, as  
7 amended, be appropriated to the Department of Economic Development to  
8 carry out the Economic Recovery Act no later than August 1, 2024.

9 (5) It is the intent of the Legislature to appropriate ten million  
10 dollars from the General Fund to the Department of Economic Development  
11 for fiscal year 2022-23 to provide grants under the Economic Recovery  
12 Act.

13 (6) It is the intent of the Legislature to transfer ten million  
14 dollars from the General Fund to the Economic Recovery Contingency Fund  
15 for fiscal year 2023-24 and ten million dollars from the General Fund to  
16 the Economic Recovery Contingency Fund for fiscal year 2024-25.

17 Sec. 8. Section 81-1201.07, Reissue Revised Statutes of Nebraska, is  
18 amended to read:

19 81-1201.07 The department may have the divisions and program listed  
20 in this section to aid in the discharge of its duties but shall not be  
21 limited to such divisions and program: (1) An Existing Business  
22 Assistance Division; (2) a Business Recruitment Division; (3) a Community  
23 and Rural Development Division; (4) an Economic Recovery and Incentives  
24 Division; (5) a Housing Division; and (6) (4) a Community Development  
25 Block Grant Program. Each division and program, when deemed appropriate  
26 by the director, is encouraged to establish advisory committees and  
27 programs to insure public participation and input.

28 Sec. 9. Section 81-1237, Revised Statutes Cumulative Supplement,  
29 2020, is amended to read:

30 81-1237 For purposes of the Middle Income Workforce Housing  
31 Investment Act:



1 (1) Department means the Department of Economic Development;

2 (2) Director means the Director of Economic Development;

3 (3) Eligible activities of a workforce housing investment fund  
4 means:

5 (a) New construction of owner-occupied housing in a neighborhood and  
6 community with a demonstrated need for housing that is affordable and  
7 attractive to first-time homebuyers, middle-income families, and the  
8 emerging workforce;

9 (b) Substantial repair or rehabilitation of dilapidated housing  
10 stock; or

11 (c) Upper-story housing development for occupation by a homeowner;

12 (4) HOME funds means funds awarded as formula grants under the HOME  
13 Investment Partnerships Program administered by the United States  
14 Department of Housing and Urban Development;

15 (5) Matching funds means dollars contributed by individuals,  
16 businesses, foundations, local and regional political subdivisions, or  
17 other nonprofit organizations to a workforce housing investment fund  
18 administered by a nonprofit development organization;

19 (6) Nonprofit development organization means a regional or statewide  
20 nonprofit development organization approved by the director;

21 (7) Qualified activities include purchase guarantees, loan  
22 guarantees, loan participations, and other credit enhancements related to  
23 eligible activities of the workforce housing investment fund;

24 (8) Qualified investment means a cash investment in a workforce  
25 housing investment fund administered by a nonprofit development  
26 organization;

27 (9) Urban community means any area that is:

28 (a) In a county with a population greater than one hundred thousand  
29 inhabitants as determined by the most recent federal decennial census;  
30 and

31 (b)(i) ~~(b)~~ Within a qualified census tract as described in 26 U.S.C.

1 42(d)(5)(B), as such section existed on January 1, 2022 ~~2020~~; or

2 (ii) Within a city of the primary class;

3 (10) Workforce housing means:

4 (a) Owner-occupied housing units that have an after-construction  
5 appraised value of at least one hundred twenty-five thousand dollars but  
6 not more than two hundred seventy-five thousand dollars. For purposes of  
7 this subdivision (a) and subdivision (b) of this subsection, housing unit  
8 after-construction appraised value shall be updated annually by the  
9 department based upon the most recent increase or decrease in the  
10 Producer Price Index for all commodities, published by the United States  
11 Department of Labor, Bureau of Labor Statistics;

12 (b) Owner-occupied housing units for which the cost to substantially  
13 rehabilitate such units exceeds fifty percent of a unit's before-  
14 construction assessed value, and the after-construction appraised value  
15 is at least one hundred twenty-five thousand dollars but not more than  
16 two hundred seventy-five thousand dollars;

17 (c) Upper-story housing for occupation by a homeowner; and

18 (d) Housing that does not receive federal or state low-income  
19 housing tax credits, community development block grants, HOME funds, or  
20 funds from the Affordable Housing Trust Fund; and

21 (11) Workforce housing investment fund means a fund that has been  
22 created by a nonprofit development organization and certified by the  
23 director to encourage development of workforce housing in urban  
24 communities.

25 Sec. 10. Section 81-1238, Revised Statutes Cumulative Supplement,  
26 2020, is amended to read:

27 81-1238 (1) The director shall establish a workforce housing  
28 investment grant program to foster and support the development of  
29 workforce housing in urban communities.

30 (2) A nonprofit development organization may apply to the director  
31 for approval of a workforce housing grant for a workforce housing

1 investment fund. The application shall be in a form and manner prescribed  
2 by the director. Through fiscal year ~~2026-27~~ ~~2022-2023~~, grants shall be  
3 awarded by the director on a competitive basis until grant funds are no  
4 longer available. Grant maximums shall not exceed five ~~one~~ million  
5 dollars to any one nonprofit development organization over a two-year  
6 period, with ~~the no more than two million five hundred thousand dollars~~  
7 cumulative amount for any single grantee to be determined by the  
8 department at the discretion of the director. An applicant shall provide  
9 matching funds of at least one-half of the amount of workforce housing  
10 grant funds awarded through fiscal year 2022-2023. Grants shall require a  
11 ~~minimum one to one in matching funds to be considered a qualified grant~~  
12 ~~application. Unallocated funds held by the department shall be rolled to~~  
13 ~~the next program year. Unallocated funds on June 30, 2025, shall be~~  
14 ~~returned to the Middle Income Workforce Housing Investment Fund.~~

15 (3) Grants shall be awarded based upon:

16 (a) A demonstrated need for additional owner-occupied housing. Need  
17 can be demonstrated with a recent housing study or a letter from the  
18 planning department of the city in which the fund is intending to operate  
19 stating that the proposal is in line with the city's most recent  
20 consolidated plan submitted under 24 C.F.R. part 91, subpart D, as such  
21 subpart existed on January 1, 2020;

22 (b) A neighborhood or community that has a higher-than-state-average  
23 unemployment rate;

24 (c) A neighborhood or community that exhibits a demonstrated  
25 commitment to growing its housing stock;

26 (d) Projects that can reasonably be ready for occupancy in a period  
27 of twenty-four months; and

28 (e) A demonstrated ability to grow and manage a workforce housing  
29 investment fund.

30 (4) A workforce housing investment fund shall:

31 (a) Be required to receive annual certification from the department;

1 (b) Invest or intend to invest in eligible activities for a  
2 workforce housing investment fund;

3 (c) Use any fees, interest, loan repayments, or other funds received  
4 by the nonprofit development organization as a result of the  
5 administration of the grant to support qualified activities; and

6 (d) Have an active board of directors with expertise in development,  
7 construction, and finance that meets at least quarterly to approve all  
8 qualified investments made by the nonprofit development organization. A  
9 nonprofit development organization shall have a formal plan and proven  
10 expertise to invest unused workforce housing investment fund balances and  
11 shall conduct an annual audit of all financial records by an independent  
12 certified public accountant.

13 (5) A nonprofit development organization that has previously  
14 received a grant or grants under the Middle Income Workforce Housing  
15 Investment Act shall not be eligible for an additional grant under this  
16 section unless the organization has expended at least fifty percent of  
17 the funds from such previous grant or grants.

18 Sec. 11. Section 81-1239, Revised Statutes Cumulative Supplement,  
19 2020, is amended to read:

20 81-1239 (1) The Middle Income Workforce Housing Investment Fund is  
21 created. Funding for the grant program described in section 81-1238 shall  
22 come from the Middle Income Workforce Housing Investment Fund. The Middle  
23 Income Workforce Housing Investment Fund may include revenue from  
24 appropriations from the Legislature, grants, private contributions, and  
25 other sources. ~~In addition, the Middle Income Workforce Housing~~  
26 ~~Investment Fund shall receive a one-time transfer of ten million dollars~~  
27 ~~on November 14, 2020, from the General Fund.~~ Any money in the Middle  
28 Income Workforce Housing Investment Fund available for investment shall  
29 be invested by the state investment officer pursuant to the Nebraska  
30 Capital Expansion Act and the Nebraska State Funds Investment Act.

31 (2) The department shall administer the Middle Income Workforce

1 Housing Investment Fund and may seek additional private or nonstate funds  
2 to use in the grant program, including, but not limited to, contributions  
3 from the Nebraska Investment Finance Authority and other interested  
4 parties.

5 (3) Interest earned by the department on grant funds shall be  
6 applied to the grant program.

7 (4) If a nonprofit development organization fails to engage in a  
8 qualified activity within twenty-four months after receiving initial  
9 grant funding, the nonprofit development organization shall return the  
10 grant proceeds to the department for credit to the General Affordable  
11 ~~Housing Trust~~ Fund.

12 (5) Beginning July 1, 2029 ~~2025~~, any funds held by the department in  
13 the Middle Income Workforce Housing Investment Fund shall be transferred  
14 to the General Affordable Housing Trust ~~Fund~~.

15 Sec. 12. Section 81-1240, Revised Statutes Cumulative Supplement,  
16 2020, is amended to read:

17 81-1240 (1) Each nonprofit development organization shall submit an  
18 annual report to the director to be included as a part of the  
19 department's annual status report required under section 81-1201.11. The  
20 report shall certify that the workforce housing investment fund meets the  
21 requirements of the Middle Income Workforce Housing Investment Act and  
22 shall include a breakdown of program activities.

23 (2) The annual report shall include, but not be limited to:

24 (a) The name and geographical location of the nonprofit development  
25 organization;

26 (b) The number, amount, and type of workforce housing investment  
27 funds invested in qualified activities;

28 (c) The number, geographical location, type, and amount of  
29 investments made;

30 (d) A summary of matching funds and where such matching funds were  
31 generated; and

1 (e) The results of the annual audit required under subdivision (4)  
2 (d) of section 81-1238.

3 (3) If a nonprofit development organization ceases administration of  
4 a workforce housing investment fund, it shall file a final report with  
5 the director in a form and manner required by the director. Before July  
6 1, ~~2029~~ 2025, any unallocated workforce housing investment fund grant  
7 funds shall be returned for credit to the Middle Income Workforce Housing  
8 Investment Fund. On and after July 1, 2029, any unallocated workforce  
9 housing investment fund grant funds shall be returned to the department  
10 for transfer to the General Fund.

11 (4) If a workforce housing investment fund fails to file a complete  
12 annual report by February 15, the director may, in his or her discretion,  
13 impose a civil penalty of not more than five thousand dollars for such  
14 violation. All money collected by the department pursuant to this  
15 subsection shall be remitted to the State Treasurer for distribution in  
16 accordance with Article VII, section 5, of the Constitution of Nebraska.

17 Sec. 13. (1) The Department of Economic Development shall use any  
18 funds received from the federal Coronavirus Capital Projects Fund under  
19 the federal American Rescue Plan Act of 2021 for eligible projects as  
20 follows:

21 (a) No more than forty million dollars to eligible projects that are  
22 located within a congressional district which contains a city of the  
23 metropolitan class. Within a city of the metropolitan class, priority  
24 shall be given to multipurpose community facilities; and

25 (b) No less than forty million dollars to eligible projects that are  
26 located within each congressional district which does not contain a city  
27 of the metropolitan class.

28 (2) Any funds received from the federal Coronavirus Capital Projects  
29 Fund under the federal American Rescue Plan Act of 2021 utilized for  
30 eligible broadband infrastructure projects shall be administered in a  
31 manner consistent with the Nebraska Broadband Bridge Act, except that the

1 matching funds requirement in section 86-1304 shall not apply to such  
2 federal funding for broadband projects.

3 (3) The department shall, beginning July 1, 2022, through July 15,  
4 2022, allow a qualified nonprofit organization or political subdivision  
5 to apply for a grant using funds received from the federal Coronavirus  
6 Capital Projects Fund under the federal American Rescue Plan Act of 2021.  
7 The department may open additional grant application periods as needed  
8 until all funds are allocated.

9 Sec. 14. It is the intent of the Legislature to appropriate one  
10 hundred twenty-eight million seven hundred forty thousand one hundred  
11 seventy-eight dollars from federal funds for fiscal year 2022-23 to the  
12 Department of Economic Development to provide grants as provided in  
13 section 13 of this act. The federal funds described in this section are  
14 the funds allocated to the State of Nebraska from the federal Coronavirus  
15 Capital Projects Fund under the federal American Rescue Plan Act of 2021.

16 Sec. 15. (1) It is the intent of the Legislature to appropriate  
17 three million seventy-four thousand dollars from federal funds for  
18 FY2022-23 to the Department of Economic Development. The federal funds  
19 described in this subsection are the funds received by the State of  
20 Nebraska from the United States Economic Development Administration's  
21 American Rescue Plan Travel, Tourism and Outdoor Recreation program.

22 (2) Money from the intended appropriation described in subsection  
23 (1) of this section shall be for grants awarded to eligible grantees as  
24 follows:

25 (a) No less than one million dollars to eligible grantees located  
26 within one or more qualified census tracts within a city of the  
27 metropolitan class;

28 (b) No less than one million dollars to eligible grantees located  
29 within one or more qualified census tracts within a city of the primary  
30 class; and

31 (c) No less than one million dollars to eligible grantees in

1 qualified census tracts that are located outside of a city of the  
2 metropolitan class or a city of the primary class.

3 Sec. 16. Section 84-612, Revised Statutes Supplement, 2021, is  
4 amended to read:

5 84-612 (1) There is hereby created within the state treasury a fund  
6 known as the Cash Reserve Fund which shall be under the direction of the  
7 State Treasurer. The fund shall only be used pursuant to this section.

8 (2) The State Treasurer shall transfer funds from the Cash Reserve  
9 Fund to the General Fund upon certification by the Director of  
10 Administrative Services that the current cash balance in the General Fund  
11 is inadequate to meet current obligations. Such certification shall  
12 include the dollar amount to be transferred. Any transfers made pursuant  
13 to this subsection shall be reversed upon notification by the Director of  
14 Administrative Services that sufficient funds are available.

15 (3) In addition to receiving transfers from other funds, the Cash  
16 Reserve Fund shall receive federal funds received by the State of  
17 Nebraska for undesignated general government purposes, federal revenue  
18 sharing, or general fiscal relief of the state.

19 (4) The State Treasurer shall transfer fifty-four million seven  
20 hundred thousand dollars on or after July 1, 2019, but before June 15,  
21 2021, from the Cash Reserve Fund to the Nebraska Capital Construction  
22 Fund on such dates and in such amounts as directed by the budget  
23 administrator of the budget division of the Department of Administrative  
24 Services.

25 (5) The State Treasurer shall transfer thirty million dollars from  
26 the Cash Reserve Fund to the General Fund after November 15, 2020, but  
27 before December 31, 2020, on such date as directed by the budget  
28 administrator of the budget division of the Department of Administrative  
29 Services. Except for the transfer authorized in this subsection, no funds  
30 shall be transferred from the Cash Reserve Fund to fulfill the  
31 obligations created under the Nebraska Property Tax Incentive Act unless



1 the balance in the Cash Reserve Fund after such transfer will be at least  
2 equal to five hundred million dollars.

3 (6) The State Treasurer shall transfer fifty million dollars from  
4 the Cash Reserve Fund to the United States Space Command Headquarters  
5 Assistance Fund on or before June 30, 2023, but not before July 1, 2022,  
6 on such dates and in such amounts as directed by the budget administrator  
7 of the budget division of the Department of Administrative Services. The  
8 transfer in this subsection shall not occur unless the State of Nebraska  
9 is selected as the site of the United States Space Command headquarters.

10 (7) The State Treasurer shall transfer fifty-five million dollars  
11 from the Cash Reserve Fund to the Economic Recovery Contingency Fund on  
12 or before June 30, 2022, on such dates and in such amounts as directed by  
13 the budget administrator of the budget division of the Department of  
14 Administrative Services.

15 Sec. 17. Original section 81-1201.07, Reissue Revised Statutes of  
16 Nebraska, sections 81-1237, 81-1238, 81-1239, and 81-1240, Revised  
17 Statutes Cumulative Supplement, 2020, and section 84-612, Revised  
18 Statutes Supplement, 2021, are repealed.

19 Sec. 18. Since an emergency exists, this act takes effect when  
20 passed and approved according to law.