

LEGISLATURE OF NEBRASKA
ONE HUNDRED SEVENTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 765

Introduced by Aguilar, 35.

Read first time January 05, 2022

Committee: Government, Military and Veterans Affairs

1 A BILL FOR AN ACT relating to the Nebraska Visitors Development Act; to
2 amend sections 81-3717 and 81-3720, Reissue Revised Statutes of
3 Nebraska; to change provisions relating to authorized uses for a
4 County Visitors Improvement Fund; to harmonize provisions; and to
5 repeal the original sections.

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

1 Section 1. Section 81-3717, Reissue Revised Statutes of Nebraska, is
2 amended to read:

3 81-3717 (1) The governing body of the county shall after a public
4 hearing adopt a resolution establishing a County Visitors Promotion Fund
5 and a visitors committee which shall serve as an advisory committee to
6 the governing body in administering the proceeds from the taxes provided
7 to the county by the Nebraska Visitors Development Act. The governing
8 body of a county may also after a public hearing adopt a resolution
9 establishing a County Visitors Improvement Fund. The proceeds of the
10 County Visitors Promotion Fund shall be used generally to promote,
11 encourage, and attract visitors to come to the county and use the travel
12 and tourism facilities within the county. The proceeds of the County
13 Visitors Improvement Fund shall be used to improve the visitor
14 attractions and facilities in the county, except that no proceeds shall
15 be used to improve a facility in which parimutuel wagering is conducted
16 unless such facility also serves as the site of a state fair or district
17 or county agricultural society fair. If the visitors committee determines
18 that the visitor attractions in the county are adequate and do not
19 require improvement, the governing body of the county, with the advice of
20 the committee, may only use the County Visitors Improvement Fund to
21 promote, encourage, and attract visitors to the county to use the
22 county's travel and tourism facilities or, with the advice of the
23 visitors committee, make grants to organizations to promote, encourage,
24 and attract visitors to the county to use the county's travel and tourism
25 facilities, except that no proceeds shall be granted to an organization
26 to promote parimutuel wagering. The committee shall consist of five or
27 seven members appointed by the governing body of the county. If the
28 committee has five members, at least one but no more than two members of
29 the committee shall be in the hotel industry. If the committee has seven
30 members, at least two but no more than three members of the committee
31 shall be in the hotel industry.

1 (2) The members of the committee shall serve without compensation,
2 except for reimbursement for necessary expenses. Committee members shall
3 serve for terms of four years, except that at least half of those
4 appointed shall be appointed for initial terms of two years. Vacancies
5 shall be filled in the same manner as the initial appointments. The
6 committee shall elect a chairperson and vice-chairperson from among its
7 members to serve for terms of two years.

8 Sec. 2. Section 81-3720, Reissue Revised Statutes of Nebraska, is
9 amended to read:

10 81-3720 (1)(a) The County Visitors Improvement Fund shall be
11 administered by the governing body of the county with the advice of the
12 visitors committee created pursuant to section 81-3717. The fund shall be
13 used to make grants for expanding and improving facilities at any
14 existing visitor attraction, acquiring or expanding exhibits for existing
15 visitor attractions, constructing visitor attractions, or planning or
16 developing such expansions, improvements, or construction.

17 (b) Grants shall be available for any visitor attraction in the
18 county owned by the public or any nonprofit organization, the primary
19 purpose of which is to operate the visitor attraction, ~~except that grants~~
20 ~~shall not be available for any visitor attraction where parimutuel~~
21 ~~wagering is conducted.~~

22 (c) Grants may be made for a specified annual amount not to exceed
23 the proceeds derived from a sales tax rate of one percent imposed by a
24 county for a County Visitors Improvement Fund for a term of years not to
25 exceed twenty years and may be pledged by the recipient to secure bonds
26 issued to finance expansion, improvement, or construction of a visitor
27 attraction. Any grant made for a term of years shall be funded each year
28 in accordance with any agreement contained in the grant contract.

29 (d) No bonds issued by a grant recipient which pledges grant funds
30 shall constitute a debt, liability, or general obligation of the county
31 levying the tax or a pledge of the faith and credit of the county levying

1 the tax but shall be payable solely from grant funds. Each bond issued by
2 any grant recipient which pledges grant funds shall contain on the face
3 thereof a statement that neither the faith and credit nor the taxing
4 power of the county levying the tax is pledged to the payment of the
5 principal of or the interest on such bond.

6 (2) For purposes of this section and section 81-3717, visitor
7 attraction means a defined location open to the public, which location is
8 of educational, cultural, historical, artistic, or recreational
9 significance or provides entertainment or in which are exhibits,
10 displays, or performances of educational, cultural, historic, artistic,
11 or entertainment value.

12 Sec. 3. Original sections 81-3717 and 81-3720, Reissue Revised
13 Statutes of Nebraska, are repealed.