

LEGISLATIVE BILL 977

Approved by the Governor April 18, 2022

Introduced by Slama, 1.

A BILL FOR AN ACT relating to infrastructure; to amend sections 81-12,147 and 84-612, Revised Statutes Supplement, 2021; to provide for grants from the Site and Building Development Fund; to provide for a transfer from the Cash Reserve Fund; to repeal the original sections; and to declare an emergency.

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

Section 1. Section 81-12,147, Revised Statutes Supplement, 2021, is amended to read:

81-12,147 (1) Except as provided in subsection (2) of this section, the Department of Economic Development shall use the Site and Building Development Fund to finance loans, grants, subsidies, credit enhancements, and other financial assistance for industrial site and building development and for expenses of the department as appropriated by the Legislature for administering the fund. The following activities are eligible for assistance from the fund:

(a) Grants or zero-interest loans to villages, cities, or counties to acquire land, infuse infrastructure, or otherwise make large sites and buildings ready for industrial development;

(b) Matching funds for new construction, rehabilitation, or acquisition of land and buildings to assist villages, cities, and counties;

(c) Technical assistance, design and finance services, and consultation for villages, cities, and counties for the preparation and creation of industrial-ready sites and buildings;

(d) Loan guarantees for eligible projects;

(e) Projects making industrial-ready sites and buildings more accessible to business and industry;

(f) Infrastructure projects necessary for the development of industrial-ready sites and buildings;

(g) Projects that mitigate the economic impact of a closure or downsizing of a private-sector entity by making necessary improvements to buildings and infrastructure; and

(h) Public and private sector initiatives that will improve the military value of military installations by making necessary improvements to buildings and infrastructure; and -

(i) Grants to any city of the second class which partners with public power utilities for purposes of expanding electrical system capacities and enhancing redundancy and resilience.

(2) The Department of Economic Development shall use the subaccount of the Site and Building Development Fund described in subsection (2) of section 81-12,146 to provide financial assistance to any inland port authority created under the Municipal Inland Port Authority Act to help finance large shovel-ready commercial and industrial sites developed under such act.

Sec. 2. Section 84-612, Revised Statutes Supplement, 2021, is amended to read:

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

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

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

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

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

(6) The State Treasurer shall transfer fifty million dollars from the Cash Reserve Fund to the United States Space Command Headquarters Assistance Fund on

or before June 30, 2023, but not before July 1, 2022, on such dates and in such amounts as directed by the budget administrator of the budget division of the Department of Administrative Services. The transfer in this subsection shall not occur unless the State of Nebraska is selected as the site of the United States Space Command headquarters.

(7) The State Treasurer shall transfer fifteen million dollars from the Cash Reserve Fund to the Site and Building Development Fund on or before June 30, 2022, on such dates and in such amounts as directed by the budget administrator of the budget division of the Department of Administrative Services.

Sec. 3. Original sections 81-12,147 and 84-612, Revised Statutes Supplement, 2021, are repealed.

Sec. 4. Since an emergency exists, this act takes effect when passed and approved according to law.