

AMENDMENTS TO LB532

Introduced by Wayne, 13.

1           1. Insert the following new sections:

2           Section 1. It is the intent of the Legislature to appropriate one  
3 hundred million dollars from the General Fund for fiscal year 2023-24 to  
4 the State Treasurer for Program No. 120, Aid to Municipalities, to  
5 provide assistance to a city of the metropolitan class for the purposes  
6 of establishing, maintaining, and operating a streetcar within two and  
7 one-half miles of a major airport as defined in section 13-3303.

8           Such streetcar shall be established, maintained, and operated within  
9 two and one-half miles of a major airport as defined in section 13-3303  
10 and shall connect to the major airport without going outside the  
11 boundaries of the city of the metropolitan class.

12           Sec. 5. Section 18-2117.01, Reissue Revised Statutes of Nebraska, is  
13 amended to read:

14           18-2117.01 (1)(a) On or before December 1 each year, each city which  
15 has approved one or more redevelopment plans which are financed in whole  
16 or in part through the division of taxes as provided in section 18-2147  
17 shall provide a report to the Property Tax Administrator on each such  
18 redevelopment plan which includes the following information:

19           (i) A copy of the redevelopment plan and any amendments thereto,  
20 including the date upon which the redevelopment plan was approved, the  
21 effective date for dividing the ad valorem tax as provided to the county  
22 assessor pursuant to subsection (6) ~~(5)~~ of section 18-2147, and the  
23 location and boundaries of the property in the redevelopment project; and

24           (ii) A short narrative description of the type of development  
25 undertaken by the city or village with the financing and the type of  
26 business or commercial activity locating within the redevelopment project  
27 area as a result of the redevelopment project.

1 (b) If a city has approved one or more redevelopment plans using an  
2 expedited review under section 18-2155, the city may file a single report  
3 under this subsection for all such redevelopment plans.

4 (2) The report required under subsection (1) of this section must be  
5 filed each year, regardless of whether the information in the report has  
6 changed, except that a city is not required to refile a copy of the  
7 redevelopment plan or an amendment thereto if such copy or amendment has  
8 previously been filed.

9 (3) The Property Tax Administrator shall compile a report for each  
10 active redevelopment project, based upon information provided by the  
11 cities pursuant to subsection (1) of this section and information  
12 reported by the county assessor or county clerk on the certificate of  
13 taxes levied pursuant to section 77-1613.01. Each report shall be  
14 electronically transmitted to the Clerk of the Legislature not later than  
15 March 1 each year. The report may include any recommendations of the  
16 Property Tax Administrator as to what other information should be  
17 included in the report from the cities so as to facilitate analysis of  
18 the uses, purposes, and effectiveness of tax-increment financing and the  
19 process for its implementation or to streamline the reporting process  
20 provided for in this section to eliminate unnecessary paperwork.

21 Sec. 8. Section 18-2147, Reissue Revised Statutes of Nebraska, is  
22 amended to read:

23 18-2147 (1) Any redevelopment plan as originally approved or as  
24 later modified pursuant to section 18-2117 may contain a provision that  
25 any ad valorem tax levied upon real property, or any portion thereof, in  
26 a redevelopment project for the benefit of any public body shall be  
27 divided, for the applicable period described in subsection (4) ~~(3)~~ of  
28 this section, as follows:

29 (a) That portion of the ad valorem tax which is produced by the levy  
30 at the rate fixed each year by or for each such public body upon the  
31 redevelopment project valuation shall be paid into the funds of each such

1 public body in the same proportion as are all other taxes collected by or  
2 for the body. When there is not a redevelopment project valuation on a  
3 parcel or parcels, the county assessor shall determine the redevelopment  
4 project valuation based upon the fair market valuation of the parcel or  
5 parcels as of January 1 of the year prior to the year that the ad valorem  
6 taxes are to be divided. The county assessor shall provide written notice  
7 of the redevelopment project valuation to the authority as defined in  
8 section 18-2103 and the owner. The authority or owner may protest the  
9 valuation to the county board of equalization within thirty days after  
10 the date of the valuation notice. All provisions of section 77-1502  
11 except dates for filing of a protest, the period for hearing protests,  
12 and the date for mailing notice of the county board of equalization's  
13 decision are applicable to any protest filed pursuant to this section.  
14 The county board of equalization shall decide any protest filed pursuant  
15 to this section within thirty days after the filing of the protest. The  
16 county clerk shall mail a copy of the decision made by the county board  
17 of equalization on protests pursuant to this section to the authority or  
18 owner within seven days after the board's decision. Any decision of the  
19 county board of equalization may be appealed to the Tax Equalization and  
20 Review Commission, in accordance with section 77-5013, within thirty days  
21 after the date of the decision;

22 (b) That portion of the ad valorem tax on real property, as provided  
23 in the redevelopment contract, bond resolution, or redevelopment plan, as  
24 applicable, in the redevelopment project in excess of such amount, if  
25 any, shall be allocated to and, when collected, paid into a special fund  
26 of the authority to be used solely to pay the principal of, the interest  
27 on, and any premiums due in connection with the bonds of, loans, notes,  
28 or advances of money to, or indebtedness incurred by, whether funded,  
29 refunded, assumed, or otherwise, such authority for financing or  
30 refinancing, in whole or in part, the redevelopment project. When such  
31 bonds, loans, notes, advances of money, or indebtedness, including

1 interest and premiums due, have been paid, the authority shall so notify  
2 the county assessor and county treasurer and all ad valorem taxes upon  
3 taxable real property in such a redevelopment project shall be paid into  
4 the funds of the respective public bodies. An authority may use a single  
5 fund for purposes of this subdivision for all redevelopment projects or  
6 may use a separate fund for each redevelopment project; and

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

10 (2) To the extent that a redevelopment plan authorizes the division  
11 of ad valorem taxes levied upon only a portion of the real property  
12 included in such redevelopment plan, any improvements funded by such  
13 division of taxes shall be related to the redevelopment plan that  
14 authorized such division of taxes.

15 (3)(a) For any redevelopment plan located in a city of the  
16 metropolitan class that includes a division of taxes, as provided in this  
17 section, that produces, in whole or in part, funds to be used directly or  
18 indirectly for (i) new construction, rehabilitation, or acquisition of  
19 housing for households with annual incomes below the area median income  
20 for households and located within six hundred yards of a public passenger  
21 streetcar, or (ii) new construction, rehabilitation, or acquisition of  
22 single-family housing or condominium housing used as primary residences  
23 for individuals with annual incomes below the area median income for  
24 individuals, such housing shall be deemed related to the redevelopment  
25 plan that authorized such division of taxes regardless of whether such  
26 housing is or will be located on real property within such redevelopment  
27 plan, as long as such housing supports activities occurring on or  
28 identified in such redevelopment plan.

29 (b) During each fiscal year in which the funds described in  
30 subdivision (a) of this subsection are available, the authority and city  
31 shall make best efforts to allocate not less than thirty percent of such

1 funds to single family housing deemed related to the redevelopment plan  
2 described under such subdivision.

3 (c) In selecting projects to receive funding, the authority and city  
4 shall develop a qualified allocation plan and give first priority to  
5 financially viable projects that serve the lowest income occupants for  
6 the longest period of time.

7 (4)(a) (3)(a) For any redevelopment plan for which more than fifty  
8 percent of the property in the redevelopment project area has been  
9 declared an extremely blighted area in accordance with section  
10 18-2101.02, ad valorem taxes shall be divided for a period not to exceed  
11 twenty years after the effective date as identified in the project  
12 redevelopment contract or in the resolution of the authority authorizing  
13 the issuance of bonds pursuant to section 18-2124.

14 (b) For all other redevelopment plans, ad valorem taxes shall be  
15 divided for a period not to exceed fifteen years after the effective date  
16 as identified in the project redevelopment contract, in the resolution of  
17 the authority authorizing the issuance of bonds pursuant to section  
18 18-2124, or in the redevelopment plan, whichever is applicable.

19 (5) (4) The effective date of a provision dividing ad valorem taxes  
20 as provided in subsection (4) (3) of this section shall not occur until  
21 such time as the real property in the redevelopment project is within the  
22 corporate boundaries of the city. This subsection shall not apply to a  
23 redevelopment project involving a formerly used defense site as  
24 authorized in section 18-2123.01.

25 (6) (5) Beginning August 1, 2006, all notices of the provision for  
26 dividing ad valorem taxes shall be sent by the authority to the county  
27 assessor on forms prescribed by the Property Tax Administrator. The  
28 notice shall be sent to the county assessor on or before August 1 of the  
29 year of the effective date of the provision. Failure to satisfy the  
30 notice requirement of this section shall result in the taxes, for all  
31 taxable years affected by the failure to give notice of the effective

1 date of the provision, remaining undivided and being paid into the funds  
2 for each public body receiving property taxes generated by the property  
3 in the redevelopment project. However, the redevelopment project  
4 valuation for the remaining division of ad valorem taxes in accordance  
5 with subdivisions (1)(a) and (b) of this section shall be the last  
6 certified valuation for the taxable year prior to the effective date of  
7 the provision to divide the taxes for the remaining portion of the  
8 twenty-year or fifteen-year period pursuant to subsection (4) ~~(3)~~ of this  
9 section.

10 2. On page 2, line 12, strike "(3)(a)", show as stricken, and insert  
11 "(4)(a)".

12 3. Renumber the remaining sections and correct the repealer and  
13 internal references accordingly.