

LEGISLATURE OF NEBRASKA  
ONE HUNDRED EIGHTH LEGISLATURE  
FIRST SESSION

**LEGISLATIVE BILL 73**

Introduced by Aguilar, 35.

Read first time January 05, 2023

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 related 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.