

AMENDMENTS TO LB997

Introduced by Government, Military and Veterans Affairs.

1 1. Insert the following new sections:

2 **Section 1.** Section 14-201.03, Reissue Revised Statutes of Nebraska,
3 is amended to read:

4 14-201.03 (1) The election commissioner in any county in which is
5 situated a city of the metropolitan class shall divide the city into
6 seven city council districts of compact and contiguous territory. Such
7 districts shall be numbered consecutively from one to seven. One city
8 council member shall be elected from each district. The city council
9 shall be responsible for redrawing the city council district boundaries
10 pursuant to section 32-553.

11 (2) Beginning when the city council of a city of the metropolitan
12 class redraws the city council districts pursuant to subsection (3) of
13 section 32-553, the seven city council districts of such city shall
14 include the extraterritorial zoning jurisdiction of the city.

15 **Sec. 2.** Section 14-419, Reissue Revised Statutes of Nebraska, is
16 amended to read:

17 14-419 (1) The extraterritorial zoning jurisdiction of a city of the
18 metropolitan class shall consist of the unincorporated area three miles
19 beyond and adjacent to its corporate boundaries.

20 (2) The city council, in cities of the metropolitan class, shall
21 have the power by ordinance to regulate, within the corporate limits of
22 the city or within the extraterritorial zoning jurisdiction of the city,
23 except as to construction on farms for farm purposes, (a) the minimum
24 standards of construction of buildings, dwellings, and other structures,
25 in order to provide safe and sound condition of such buildings,
26 dwellings, and other structures for the preservation of health, safety,
27 security, and general welfare, and as to electric wiring, heating,

1 plumbing, pipefitting, sewer connections, ventilation, size of habitable
2 rooms, and the method of constructing buildings, and to provide for
3 inspection of such buildings, dwellings, and other structures and
4 building permits, (b) the removal and tearing down of buildings,
5 dwellings, and other structures in such areas which constitute nuisances
6 because of the dilapidated, unsafe, or rundown condition or conditions,
7 and (c) except as to the United States of America, the State of Nebraska,
8 any county of the state, or any other city or village in the state, the
9 nature, kind, and manner of constructing streets, alleys, sidewalks,
10 curbing or abridging curbs, driveway approaches constructed on public
11 rights-of-way, and sewers.

12 (3) A city of the metropolitan class shall have the authority to
13 regulate land use within the extraterritorial zoning jurisdiction of such
14 city as may be provided by law in addition to those powers provided in
15 this section.

16 (4) Any building or construction code implemented under this section
17 shall be adopted and enforced as provided in section 71-6406.

18 (5) Electors residing in the extraterritorial zoning jurisdiction of
19 a city of the metropolitan class shall be considered electors of such
20 city for all matters, except bond elections.

21 **Sec. 3.** Section 15-901, Reissue Revised Statutes of Nebraska, is
22 amended to read:

23 15-901 (1) Except as provided in section 13-327, the
24 extraterritorial zoning jurisdiction of a city of the primary class shall
25 consist of the unincorporated area three miles beyond and adjacent to its
26 corporate boundaries.

27 (2) No owner of real estate located within the corporate limits of
28 any city of the primary class or within the extraterritorial zoning
29 jurisdiction of any city of the primary class, when such real estate is
30 located in the same county as the city and outside of any incorporated
31 city or village, shall be permitted to subdivide, plat, or lay out the

1 real estate in building lots and streets, or other portions of the real
2 estate intended to be dedicated for public use or for the use of the
3 purchasers or owners of lots fronting thereon or adjacent thereto,
4 without first having obtained approval by the city planning commission
5 and, when applicable, having complied with sections 39-1311 to
6 39-1311.05. No plat or subdivision of such real estate shall be recorded
7 in the office of the register of deeds or have any force or effect unless
8 such plat or subdivision is approved by the city planning commission. A
9 city of the primary class shall have the authority within its corporate
10 limits and extraterritorial zoning jurisdiction to regulate the
11 subdivision of land for the purpose, whether immediate or future, of
12 transferring ownership or building development, except that the city
13 shall have no power to regulate subdivision in those instances where the
14 smallest parcel created is more than ten acres in area. A city of the
15 primary class shall have the authority within its corporate limits and
16 extraterritorial zoning jurisdiction to prescribe standards for laying
17 out subdivisions in harmony with the comprehensive plan; to require the
18 installation of improvements by the owner, by the creation of public
19 improvement districts, or by requiring a good and sufficient bond
20 guaranteeing installation of such improvements; and to require the
21 dedication of land for public purposes.

22 (3) For purposes of this section, subdivision shall mean the
23 division of a lot, tract, or parcel of land into two or more lots, sites,
24 or other divisions of land for the purpose, whether immediate or future,
25 of ownership or building development, except that the division of land
26 shall not be considered to be subdivision when the smallest parcel
27 created is more than ten acres in area.

28 (4) Subdivision plats in a city of the primary class shall be
29 approved by the city planning commission on recommendation by the city
30 planning director and public works and utilities department. The city
31 planning commission may withhold approval of a plat until the public

1 works and utilities department has certified that the improvements
2 required by the regulations have been satisfactorily installed, until a
3 sufficient bond guaranteeing installation of the improvements has been
4 posted, or until public improvement districts are created. The city
5 council may provide procedures in land subdivision regulations for appeal
6 by any person aggrieved by any action of the city planning commission or
7 city planning director on any plat.

8 (5) Electors residing in the extraterritorial zoning jurisdiction of
9 a city of the primary class shall be considered electors of such city for
10 all matters, except bond elections.

11 **Sec. 4.** Section 32-553, Revised Statutes Cumulative Supplement,
12 2024, is amended to read:

13 32-553 (1)(a) When any political subdivision except a public power
14 district nominates or elects members of the governing board by districts,
15 such districts shall be substantially equal in population as determined
16 by the most recent federal decennial census.

17 (b) Any such political subdivision that has districts in place on
18 the date the census figures used in drawing district boundaries for the
19 Legislature are required to be submitted to the state by the United
20 States Department of Commerce, Bureau of the Census, shall, if necessary
21 to maintain substantial population equality as required by this
22 subsection, have new district boundaries drawn within six months after
23 the passage and approval of the legislative bill providing for
24 reestablishing legislative districts. Any such political subdivision in
25 existence on the date the census figures used in drawing district
26 boundaries for the Legislature are required to be submitted to the state
27 by the United States Department of Commerce, Bureau of the Census, and
28 which has not established any district boundaries shall establish
29 district boundaries pursuant to this section within six months after such
30 date.

31 (c) If the deadline for drawing or redrawing district boundary lines

1 imposed by this section is not met, the procedures set forth in section
2 32-555 shall be followed.

3 (2) The governing board of each such political subdivision shall be
4 responsible for drawing its own district boundaries and shall, as nearly
5 as possible, follow the precinct lines created by the election
6 commissioner or county clerk after each federal decennial census, except
7 that the election commissioner of any county in which a Class IV or V
8 school district is located shall draw district boundaries for such school
9 district as provided in this section and section 32-552.

10 (3) On or before January 1, 2027, any city of the metropolitan or
11 primary class that elects members of its governing board by district
12 shall redraw such district boundaries to include the extraterritorial
13 zoning jurisdiction of such city. Thereafter, when a city of the
14 metropolitan or primary class is required to redraw such district
15 boundaries, such city shall include the extraterritorial zoning
16 jurisdiction of the city.

17 2. Renumber the remaining sections and correct the repealer
18 accordingly.