

AMENDMENTS TO LB1075
(Amendments to AM2955)

Introduced by Ballard, 21.

1 1. Insert the following new sections:

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

4 15-901 (1) Except as provided in section 13-327, the
5 extraterritorial zoning jurisdiction of a city of the primary class shall
6 consist of the unincorporated area three miles beyond and adjacent to its
7 corporate boundaries.

8 (2) No owner of real estate located within the corporate limits of
9 any city of the primary class or within the extraterritorial zoning
10 jurisdiction of any city of the primary class, when such real estate is
11 located in the same county as the city and outside of any incorporated
12 city or village, shall be permitted to subdivide, plat, or lay out the
13 real estate in building lots and streets, or other portions of the real
14 estate intended to be dedicated for public use or for the use of the
15 purchasers or owners of lots fronting thereon or adjacent thereto,
16 without first having obtained approval by the city planning commission
17 and, when applicable, having complied with sections 39-1311 to
18 39-1311.05. No plat or subdivision of such real estate shall be recorded
19 in the office of the register of deeds or have any force or effect unless
20 such plat or subdivision is approved by the city planning commission. A
21 city of the primary class shall have the authority within its corporate
22 limits and extraterritorial zoning jurisdiction to regulate the
23 subdivision of land for the purpose, whether immediate or future, of
24 transferring ownership or building development, except that the city
25 shall have no power to regulate subdivision in those instances where the
26 smallest parcel created is more than ten acres in area. A city of the

1 primary class shall have the authority within its corporate limits and
2 extraterritorial zoning jurisdiction to prescribe standards for laying
3 out subdivisions in harmony with the comprehensive plan; to require the
4 installation of improvements by the owner, by the creation of public
5 improvement districts, or by requiring a good and sufficient bond
6 guaranteeing installation of such improvements; and to require the
7 dedication of land for public purposes.

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

14 (4) Subdivision plats in a city of the primary class shall be
15 approved by the city planning commission on recommendation by the city
16 planning director and public works and utilities department. The city
17 planning commission may withhold approval of a plat until the public
18 works and utilities department has certified that the improvements
19 required by the regulations have been satisfactorily installed, until a
20 sufficient bond guaranteeing installation of the improvements has been
21 posted, or until public improvement districts are created. The city
22 council may provide procedures in land subdivision regulations for appeal
23 by any person aggrieved by any action of the city planning commission or
24 city planning director on any plat.

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

28 **Sec. 8.** Section 32-553, Revised Statutes Cumulative Supplement,
29 2024, is amended to read:

30 32-553 (1)(a) When any political subdivision except a public power
31 district nominates or elects members of the governing board by districts,

1 such districts shall be substantially equal in population as determined
2 by the most recent federal decennial census.

3 (b) Any such political subdivision that has districts in place on
4 the date the census figures used in drawing district boundaries for the
5 Legislature are required to be submitted to the state by the United
6 States Department of Commerce, Bureau of the Census, shall, if necessary
7 to maintain substantial population equality as required by this
8 subsection, have new district boundaries drawn within six months after
9 the passage and approval of the legislative bill providing for
10 reestablishing legislative districts. Any such political subdivision in
11 existence on the date the census figures used in drawing district
12 boundaries for the Legislature are required to be submitted to the state
13 by the United States Department of Commerce, Bureau of the Census, and
14 which has not established any district boundaries shall establish
15 district boundaries pursuant to this section within six months after such
16 date.

17 (c) If the deadline for drawing or redrawing district boundary lines
18 imposed by this section is not met, the procedures set forth in section
19 32-555 shall be followed.

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

27 (3) On or before January 1, 2027, any city of the primary class that
28 elects members of its governing board by district shall redraw such
29 district boundaries to include the extraterritorial zoning jurisdiction
30 of such city. Thereafter, when a city of the primary class is required to
31 redraw such district boundaries, such city shall include the

1 extraterritorial zoning jurisdiction of the city.