

AMENDMENTS TO LB 1126

Introduced by Urban Affairs

1 1. Strike the original sections and insert the following
2 new sections:

3 Section 1. Section 13-327, Reissue Revised Statutes of
4 Nebraska, is amended to read:

5 13-327 (1) The governing body of any city of the first
6 ~~class or city of the second class~~ or village may, by majority
7 vote of its members, request that the county board formally cede
8 and transfer to the city or village extraterritorial jurisdiction
9 over land outside the area extending two miles from the corporate
10 boundaries of a city of the first class and one mile from the
11 corporate boundaries of a city of the second class or village.
12 In making its request, the city or village shall describe the
13 territory over which jurisdiction is being sought by metes and
14 bounds or by reference to an official map, except that a village
15 shall not request jurisdiction over any territory that is more
16 than one-quarter mile outside the area extending one mile from the
17 corporate boundaries of a village.

18 (2) Unless prohibited pursuant to section 13-328, the
19 county board may, by majority vote of its members, grant the
20 request with regard to some or all of the requested territory if:

21 (a) The county has formally adopted a comprehensive
22 development plan and zoning resolution pursuant to section 23-114
23 not less than two years immediately preceding the date of the

1 city's or village's request;

2 (b) The city or village, on the date of the request, is
3 exercising extraterritorial jurisdiction over territory within the
4 boundaries of the county;

5 (c) The requested territory is within the projected
6 growth pattern of the city or village and would be within the
7 city's or village's extraterritorial jurisdiction by reason of
8 annexation within a reasonable period of years;

9 (d) Not more than a total of twenty-five percent of the
10 territory of the county located outside the corporate boundaries
11 of any city or village within the county shall be ceded to the
12 jurisdiction of one city or village within ten years after the date
13 upon which the initial request for the cession of territory to the
14 city or village was approved by the governing body of the city or
15 village; and

16 (e) No portion of the territory ceded to the city's or
17 village's jurisdiction by the county lies within an area extending
18 one-half mile from the extraterritorial jurisdiction of any other
19 city of the first or second class or village on the date the
20 request is approved by the governing body of the city or village.

21 (3) If the county board approves the cession and transfer
22 of extraterritorial jurisdiction to a city or village pursuant to
23 this section, such transfer shall take effect on the effective
24 date of the ordinance as provided for in subsection (1) of section
25 16-902 in the case of a city of the first class or as provided for
26 in subsection (1) of section 17-1002 in the case of a city of the
27 second class or village. Upon the effective date of such transfer,

1 the transferred jurisdiction shall be treated for all purposes
2 as if such land were located within two miles of the corporate
3 boundaries of a city of the first class or within one mile of the
4 corporate boundaries of a city of the second class or village.

5 Sec. 2. Section 13-328, Reissue Revised Statutes of
6 Nebraska, is amended to read:

7 13-328 A county which encompasses a city of the
8 metropolitan class or city of the primary class shall not cede or
9 transfer extraterritorial jurisdiction over land to a city of the
10 first class or ~~city of the~~ second class or village if, on the date
11 the county receives a request pursuant to subsection (1) of section
12 13-327, such land lies within the area extending three miles from
13 the extraterritorial jurisdiction boundaries of such city of the
14 metropolitan class or city of the primary class.

15 Sec. 3. Original sections 13-327 and 13-328, Reissue
16 Revised Statutes of Nebraska, are repealed.