

LEGISLATURE OF NEBRASKA

ONE HUNDRED SECOND LEGISLATURE

SECOND SESSION

LEGISLATIVE BILL 1110

Introduced by Brasch, 16.

Read first time January 19, 2012

Committee: Appropriations

A BILL

1 FOR AN ACT relating to housing; to amend sections 58-701, 58-704,
2 58-705, 58-707, 58-709, 68-1601, 68-1602, 68-1603,
3 68-1604, 68-1605, 68-1606, 68-1607, and 68-1608, Reissue
4 Revised Statutes of Nebraska, and sections 58-702,
5 58-703, 58-706, 58-708, 58-711, 76-903, and 81-1213,
6 Revised Statutes Supplement, 2011; to provide for
7 assistance for temporary and permanent housing as a
8 result of a natural disaster; to change provisions of the
9 Nebraska Affordable Housing Act and the Homeless Shelter
10 Assistance Trust Fund Act; to transfer funds; to
11 harmonize provisions, and to repeal the original
12 sections.

13 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 58-701, Reissue Revised Statutes of
2 Nebraska, is amended to read:

3 58-701 Sections 58-701 to 58-711 and section 11 of this
4 act shall be known and may be cited as the Nebraska Affordable
5 Housing Act.

6 Sec. 2. Section 58-702, Revised Statutes Supplement,
7 2011, is amended to read:

8 58-702 (1) The Legislature finds that current economic
9 conditions, lack of available affordable housing, federal housing
10 policies that have placed an increasing burden on the state, and
11 declining resources at all levels of government adversely affect the
12 ability of Nebraska's citizens to obtain safe, decent, and affordable
13 housing. Lack of affordable housing also affects the ability of
14 communities to maintain and develop viable and stable economies.

15 (2) Furthermore, the Legislature finds that impediments
16 exist to the construction and rehabilitation of affordable housing.
17 Local codes and state statutes have an important effect on housing's
18 affordability by placing increased costs on developers. Financing
19 affordable housing, especially in rural areas and smaller
20 communities, is becoming increasingly difficult. In addition,
21 existing dilapidated housing stock and industrial buildings are
22 detrimental to new affordable housing development and the general
23 health and safety of people living and working in or around such
24 places. An affordable housing trust fund would assist all Nebraska
25 communities in financing affordable housing projects and other

1 projects which make the community safer for residents.

2 (3) In the event of a natural disaster, including
3 earthquake, tornado, thunderstorm, wind, fire, flood, or similar
4 natural event, there is often a need for permanent housing which has
5 been destroyed or made uninhabitable by the disaster.

6 (4) To enhance the economic development of the state and
7 to provide for the general prosperity of all residents of Nebraska,
8 of Nebraska's citizens, it is in the public interest to assist in the
9 provision of safe, decent, and affordable housing in all areas of the
10 state. The establishment of the Nebraska Affordable Housing Act will
11 assist in creating conditions favorable to meeting the affordable
12 housing needs of the state.

13 Sec. 3. Section 58-703, Revised Statutes Supplement,
14 2011, is amended to read:

15 58-703 (1) The Affordable Housing Trust Fund is created.
16 The fund shall receive money pursuant to sections 8-1120 and 76-903
17 and may include revenue from sources recommended by the housing
18 advisory committee established in section 58-704, appropriations from
19 the Legislature, grants, private contributions, repayment of loans,
20 and all other sources, except that before appropriations from the
21 General Fund may be used as a revenue source for the Affordable
22 Housing Trust Fund or for administrative costs of the Department of
23 Economic Development in administering the fund, such use must be
24 specifically authorized by a separate legislative bill passed in a
25 legislative session subsequent to the Ninety-fourth Legislature,

1 Second Session, 1996. Any initial appropriation from the General Fund
2 which is used as a revenue source for the Affordable Housing Trust
3 Fund or for administrative costs shall be in an appropriations bill
4 which does not contain appropriations for other programs.

5 (2) The State Treasurer shall transfer five hundred
6 thousand dollars of the Affordable Housing Trust Fund on the
7 effective date of this act to a subaccount for purposes of section 11
8 of this act. Beginning on January 1, 2013, the State Treasurer shall
9 transfer ten percent of all money remitted to the fund pursuant to
10 sections 8-1120 and 76-903 to this subaccount until the subaccount
11 reaches two million dollars and thereafter only when the subaccount
12 is reduced below two million dollars.

13 (3) The department as part of its comprehensive housing
14 affordability strategy shall administer the Affordable Housing Trust
15 Fund.

16 (4) Transfers may be made from the Affordable Housing
17 Trust Fund to the General Fund, the Behavioral Health Services Fund,
18 and the Site and Building Development Fund at the direction of the
19 Legislature.

20 (5) Any money in the Affordable Housing Trust Fund
21 available for investment shall be invested by the state investment
22 officer pursuant to the Nebraska Capital Expansion Act and the
23 Nebraska State Funds Investment Act.

24 Sec. 4. Section 58-704, Reissue Revised Statutes of
25 Nebraska, is amended to read:

1 58-704 (1) The Legislature finds that the development of
2 operational rules and regulations and an appropriate source of
3 funding is critical to the success of the Affordable Housing Trust
4 Fund. A housing advisory committee is created to address issues
5 related to the operation of the fund and to recommend a plan to
6 coordinate low-income housing efforts throughout the state. On or
7 before December 15, 1996, the committee shall recommend to the
8 Legislature and the Governor the most viable revenue source or
9 sources for the funding of the fund. The committee shall also
10 recommend for public review proposals for rules and regulations to
11 carry out the fund, including time limitations for the use of
12 financial assistance for projects and limitations on the
13 administrative costs of proposed projects. For administrative
14 purposes, the committee shall be located in the Department of
15 Economic Development.

16 (2) The committee shall consist of fifteen members who
17 represent a wide range of interests associated with the development
18 and sales of housing. The Governor shall appoint the members and a
19 chairperson and vice-chairperson from the members. The committee may
20 be a committee or council previously created by statute or executive
21 order of the Governor. The Governor shall attempt to have the
22 nonprofit and for-profit communities equally represented on the
23 advisory committee.

24 (3) The committee shall meet at the call of the
25 chairperson or a majority of the members. The chairperson shall call

1 such meetings as he or she determines necessary to fulfill the duties
2 of the committee. A quorum shall be one-half of the members.

3 Sec. 5. Section 58-705, Reissue Revised Statutes of
4 Nebraska, is amended to read:

5 58-705 The Department of Economic Development shall use
6 the Affordable Housing Trust Fund (1) to finance loans, grants,
7 subsidies, credit enhancements, and other financial assistance for
8 community affordable housing projects and for housing projects to
9 meet the need resulting from a natural disaster, including
10 earthquake, tornado, thunderstorm, wind, fire, flood, or similar
11 natural event and ~~for~~ (2) to pay the expenses of the department as
12 appropriated by the Legislature for administering the fund.

13 Sec. 6. Section 58-706, Revised Statutes Supplement,
14 2011, is amended to read:

15 58-706 The following activities are eligible for
16 assistance from the Affordable Housing Trust Fund:

17 (1) New construction, rehabilitation, or acquisition of
18 housing to assist low-income and very low-income families and to
19 assist individuals displaced by a natural disaster, including
20 earthquake, tornado, thunderstorm, wind, fire, flood, or similar
21 natural event;

22 (2) Matching funds for new construction, rehabilitation,
23 or acquisition of housing units to assist low-income and very low-
24 income families and to assist individuals displaced by a natural
25 disaster, including earthquake, tornado, thunderstorm, wind, fire,

1 flood, or similar natural event;

2 (3) Technical assistance, design and finance services,
3 and consultation for eligible nonprofit community or neighborhood-
4 based organizations involved in the creation of affordable housing;

5 (4) Matching funds for operating costs for housing
6 assistance groups or organizations when such grant or loan will
7 substantially increase the recipient's ability to produce affordable
8 housing;

9 (5) Mortgage insurance guarantees for eligible projects;

10 (6) Acquisition of housing units for the purpose of
11 preservation of housing to assist low-income or very low-income
12 families;

13 (7) Projects making affordable housing more accessible to
14 families with elderly members or members who have disabilities;

15 (8) Projects providing housing in areas determined by the
16 Department of Economic Development to be of critical importance for
17 the continued economic development and economic well-being of the
18 community and where, as determined by the department, a shortage of
19 affordable housing exists;

20 (9) Infrastructure projects necessary for the development
21 of affordable housing and housing for individuals displaced by a
22 natural disaster, including earthquake, tornado, thunderstorm, wind,
23 fire, flood, or similar natural event;

24 (10) Downpayment and closing cost assistance;

25 (11) Demolition of existing vacant, condemned, or

1 obsolete housing or industrial buildings or infrastructure and
2 housing destroyed or made uninhabitable by a natural disaster,
3 including earthquake, tornado, thunderstorm, wind, fire, flood, or
4 similar natural event;

5 (12) Housing education programs developed in conjunction
6 with affordable housing projects. The education programs must be
7 directed toward:

8 (a) Preparing potential home buyers to purchase
9 affordable housing and postpurchase education;

10 (b) Target audiences eligible to utilize the services of
11 housing assistance groups or organizations; and

12 (c) Developers interested in the rehabilitation,
13 acquisition, or construction of affordable housing; and

14 (13) Support for efforts to improve programs benefiting
15 homeless youth.

16 Sec. 7. Section 58-707, Reissue Revised Statutes of
17 Nebraska, is amended to read:

18 58-707 ~~Organizations~~—(1) Except as otherwise provided in
19 subsection (2) of this section, organizations which may receive
20 assistance under the Nebraska Affordable Housing Act are governmental
21 subdivisions, local housing authorities, community action agencies,
22 community-based or neighborhood-based or reservation-based nonprofit
23 organizations, and for-profit entities working in conjunction with
24 one of the other eligible organizations. The organizations ~~and~~ shall
25 be required to provide, or cause to be provided, matching funds for

1 the eligible activity in an amount determined by the Department of
2 Economic Development, which amount shall be at least equal to ten
3 percent of the amount of assistance provided by the Affordable
4 Housing Trust Fund.

5 (2) Counties, cities, and villages may receive assistance
6 from the subaccount created under subsection (2) of section 58-703 to
7 provide funds for housing projects for individuals displaced by a
8 natural disaster, including earthquake, tornado, thunderstorm, wind,
9 fire, flood, or similar natural event, up to a limit of the amount of
10 money in the subaccount. The county, city, or village shall return
11 any unused money to the department for credit to the subaccount.

12 (3) Nothing in the act—Nebraska Affordable Housing Act
13 shall be construed to allow individuals to receive direct loans from
14 the Affordable Housing Trust Fund.

15 Sec. 8. Section 58-708, Revised Statutes Supplement,
16 2011, is amended to read:

17 58-708 (1) During each calendar year in which funds are
18 available from the Affordable Housing Trust Fund for use by the
19 Department of Economic Development other than funds in the subaccount
20 created in subsection (2) of section 58-703, the department shall
21 allocate a specific amount of funds, not less than twenty-five
22 percent, to each congressional district. Entitlement area funds
23 allocated under this section that are not awarded to an eligible
24 project from within the entitlement area within one year shall be
25 made available for distribution to eligible projects elsewhere in the

1 state. The department shall announce a grant and loan application
2 period of at least ninety days duration for all nonentitlement areas.
3 In selecting projects to receive trust fund assistance, the
4 department shall develop a qualified allocation plan and give first
5 priority to financially viable projects that serve the lowest income
6 occupants for the longest period of time. The qualified allocation
7 plan shall:

8 (a) Set forth selection criteria to be used to determine
9 housing priorities of the housing trust fund which are appropriate to
10 local conditions, including the community's immediate need for
11 affordable housing, proposed increases in home ownership, private
12 dollars leveraged, level of local government support and
13 participation, and repayment, in part or in whole, of financial
14 assistance awarded by the fund; and

15 (b) Give first priority in allocating trust fund
16 assistance among selected projects to those projects which serve the
17 lowest income occupant and are obligated to serve qualified occupants
18 for the longest period of time.

19 (2) The department shall fund in order of priority as
20 many applications under this section as will utilize available funds
21 less actual administrative costs of the department in administering
22 the program. In administering the program the department may contract
23 for services or directly provide funds to other governmental entities
24 or instrumentalities.

25 (3) The department may recapture any funds which were

1 allocated to a qualified recipient for an eligible project under this
2 section through an award agreement if such funds were not utilized
3 for eligible costs within the time of performance under the agreement
4 and are therefor no longer obligated to the project. The recaptured
5 funds shall be credited to the Industrial Recovery Fund except as
6 provided in section 81-1213.

7 Sec. 9. Section 58-709, Reissue Revised Statutes of
8 Nebraska, is amended to read:

9 58-709 The Department of Economic Development, in
10 consultation with the Nebraska Investment Finance Authority and the
11 housing advisory committee established in section 58-704, shall adopt
12 and promulgate rules and regulations to carry out the Nebraska
13 Affordable Housing Act. The department shall monitor programs to see
14 that only qualified individuals and families are occupying projects
15 funded by the Affordable Housing Trust Fund other than the subaccount
16 created by subsection (2) of section 58-703.

17 Sec. 10. Section 58-711, Revised Statutes Supplement,
18 2011, is amended to read:

19 58-711 The Department of Economic Development shall
20 submit, as part of the department's annual status report under
21 section 81-1201.11, information detailing the status of the
22 Affordable Housing Trust Fund. The status report shall list (1) the
23 applications funded during the previous calendar year, (2) the
24 applications funded in previous years, (3) the identity of the
25 organizations receiving funds, (4) the location of each project, (5)

1 the amount of funding provided to the project, (6) the amount of
2 funding leveraged as a result of the project, (7) the number of units
3 of housing created by the project and the occupancy rate, (8) the
4 expected cost of rent or monthly payment of those units, (9) the
5 projected number of new employees and community investment as a
6 result of the project, ~~and~~(10) the amount of revenue deposited into
7 the Affordable Housing Trust Fund pursuant to sections 8-1120 and
8 76-903, (11) the amount of revenue in the subaccount created under
9 subsection (2) of section 58-703, and (12) the projects funded from
10 the subaccount if any. The status report shall contain no information
11 that is protected by state or federal confidentiality laws.

12 Sec. 11. (1) The Department of Economic Development shall
13 use the money in the subaccount of the Affordable Housing Trust Fund
14 created under subsection (2) of section 58-703 to provide grants to
15 counties, cities, or villages to provide assistance for permanent
16 housing for individuals who are displaced or homeless as a result of
17 a natural disaster, including earthquake, tornado, thunderstorm,
18 wind, fire, flood, or similar natural event. The department shall
19 fund in order of priority as many applications as will utilize
20 available funds less actual administrative costs of the department in
21 administering this section. In administering this section, the
22 department may contract for services or directly provide funds to
23 other governmental entities or instrumentalities.

24 (2) Upon request for a federal disaster declaration by
25 the Governor, a county, city, or village may apply to the department

1 for a grant to provide housing assistance to individuals who request
2 assistance as provided in this section.

3 (3)(a) The department shall award a grant up to the
4 amount of the funds available in the subaccount to a county, city, or
5 village which requests the funds pursuant to this section. The
6 request by the county, city, or village may be electronic,
7 telephonic, or by any means available.

8 (b) The department shall prescribe the form to be used by
9 individuals to apply for assistance from a county, city, or village.
10 The form shall include space for the date of the request for a
11 federal disaster declaration by the Governor, the amount of money
12 requested, the type of housing which the assistance will be used for,
13 and other information deemed necessary by the department, including
14 documentation of available insurance proceeds, personal assets,
15 income, and other resources.

16 (4) An individual who has been displaced or become
17 homeless as a result of such a disaster may apply to the county,
18 city, or village in which he or she resided at the time of the
19 disaster for permanent housing assistance. An individual applying for
20 such assistance shall complete the form prescribed by the department,
21 shall sign the form under penalty of perjury, shall provide required
22 documentation, and shall submit the form to the county, city, or
23 village. An individual receiving assistance under this section shall
24 return money not used for permanent housing.

25 (5) The department shall adopt and promulgate rules and

1 regulations to administer this section. The rules and regulations
2 shall include an action plan which provides for coordination of
3 resources and an expedited application process for counties, cities,
4 and villages to access funds under this section and for individuals
5 to receive funds for emergency assistance from counties, cities, and
6 villages under this section. The rules and regulations shall provide
7 criteria for eligibility of individuals for emergency assistance,
8 including financial need, and prioritization of eligibility for funds
9 by various political subdivisions and individuals. The rules and
10 regulations shall designate the uses which may be made of such funds,
11 which shall include rental assistance and reimbursement of funds
12 spent in anticipation of receipt of emergency assistance.

13 Sec. 12. Section 68-1601, Reissue Revised Statutes of
14 Nebraska, is amended to read:

15 68-1601 Sections 68-1601 to 68-1608 and section 20 of
16 this act shall be known and may be cited as the Homeless Shelter
17 Assistance Trust Fund Act.

18 Sec. 13. Section 68-1602, Reissue Revised Statutes of
19 Nebraska, is amended to read:

20 68-1602 (1) It is the intent of the Homeless Shelter
21 Assistance Trust Fund Act to provide funds aimed at meeting the needs
22 of homeless individuals and other individuals with locally identified
23 and documented special housing needs. The act is not intended to
24 include those individuals in prison or detained pursuant to state or
25 federal law.

1 ~~It is further the intent of the act that homeless~~
2 ~~individuals shall include persons who lack a fixed, regular, and~~
3 ~~adequate nighttime residence and who are living in a publicly or~~
4 ~~privately subsidized hotel, motel, shelter, or other temporary living~~
5 ~~quarters or any place not designated for or ordinarily used as~~
6 ~~regular sleeping accommodations for human beings. The act is not~~
7 ~~intended to include those individuals in prison or detained pursuant~~
8 ~~to state or federal law.~~

9 (2) It is also the intent of the Homeless Shelter
10 Assistance Trust Fund Act to provide immediate and temporary housing
11 for individuals who are displaced or homeless as a result of a
12 disaster.

13 Sec. 14. Section 68-1603, Reissue Revised Statutes of
14 Nebraska, is amended to read:

15 68-1603 For purposes of the Homeless Shelter Assistance
16 Trust Fund Act: ~~, department shall mean~~

17 (1) Department means the Department of Health and Human
18 Services; -

19 (2) Disaster means a natural disaster, including
20 earthquake, tornado, thunderstorm, wind, fire, flood, or similar
21 natural event; and

22 (3) Homeless individual means a person who lacks a fixed,
23 regular, and adequate nighttime residence and who is living in a
24 publicly or privately subsidized hotel, motel, shelter, or other
25 temporary living quarters or any place not designated for or

1 ordinarily used as regular sleeping accommodations for human beings.

2 Sec. 15. Section 68-1604, Reissue Revised Statutes of
3 Nebraska, is amended to read:

4 68-1604 (1) The Homeless Shelter Assistance Trust Fund is
5 hereby created. The fund shall include the proceeds raised from the
6 documentary stamp tax and remitted for such fund pursuant to section
7 76-903. ~~Money remitted to such fund shall be used by the department~~
8 ~~(1) for~~

9 (2) The department shall use the fund:

10 (a) For grants to eligible shelter providers as set out
11 in section 68-1605 for the purpose of assisting in the alleviation of
12 homelessness, to provide temporary and permanent shelters for
13 homeless persons, individuals, to encourage the development of
14 projects which link housing assistance to programs promoting the
15 concept of self-sufficiency, and to address the needs of the migrant
16 farmworker; and (2) to

17 (b) For grants for counties, cities, or villages to
18 provide assistance for immediate and temporary housing for
19 individuals who are displaced or homeless as a result of a disaster;
20 and

21 (c) To aid in defraying the expenses of administering the
22 Homeless Shelter Assistance Trust Fund Act, which shall not exceed
23 seventy-five thousand dollars in any fiscal year.

24 (3) The State Treasurer shall transfer three hundred
25 thousand dollars of the fund on the effective date of this act to a

1 subaccount for purposes of subdivision (2)(b) of this section.
2 Beginning on January 1, 2013, the State Treasurer shall transfer ten
3 percent of all money remitted to the fund to this subaccount until
4 the subaccount reaches five hundred thousand dollars and thereafter
5 only when the subaccount is reduced below five hundred thousand
6 dollars.

7 (4) Any money in the fund available for investment shall
8 be invested by the state investment officer pursuant to the Nebraska
9 Capital Expansion Act and the Nebraska State Funds Investment Act.

10 Sec. 16. Section 68-1605, Reissue Revised Statutes of
11 Nebraska, is amended to read:

12 68-1605 (1) The department shall use the funds in the
13 Homeless Shelter Assistance Trust Fund for purposes of subdivision
14 (2)(a) of section 68-1604 to finance grants for projects or programs
15 that provide for persons or families with special housing needs.

16 (2) Projects and programs to which funds shall be
17 provided under this section include eligible community, neighborhood-
18 based, housing-assistance organizations, institutions, associations,
19 and societies or corporations that:

20 (a) Are exempt from taxation under section 501(c)(3) of
21 the Internal Revenue Code as defined in section 49-801.01;

22 (b) Do not discriminate on the basis of age, religion,
23 sex, race, color, or national origin;

24 (c) Provide residential housing for at least eight hours
25 of every twenty-four-hour period; and

1 (d) Operate a drug-free premises.

2 (3) The department shall establish an advisory committee
3 consisting of individuals and groups involved with housing issues, in
4 particular those pertaining to persons or families with special
5 housing needs, to advise and assist the department in establishing
6 criteria, priorities, and guidelines for eligibility requirements,
7 application requirements and dates, public notification, and
8 monitoring and shall assist the department in adopting and
9 promulgating rules and regulations for providing grants from the fund
10 under this section.

11 (4) An application submitted by an organization
12 representing a number of eligible applicants may be considered even
13 though the representing organization may itself not qualify under
14 this section.

15 (5) In making grants pursuant to the Homeless Shelter
16 Assistance Trust Fund Act under this section, the department shall
17 consider, but not be limited to, the following factors:

18 (a) The number of night-lodging units provided by the
19 applicant as measured by the number of persons housed per night;

20 (b) Participation by the applicant in community planning
21 processes and activities aimed at preventing and alleviating
22 homelessness;

23 (c) Other verifiable units of service provided by the
24 applicant; and

25 (d) The geographic distribution of funds.

1 Sec. 17. Section 68-1606, Reissue Revised Statutes of
2 Nebraska, is amended to read:

3 68-1606 ~~Grant money may be used by eligible recipients~~
4 Eligible recipients of grants under section 68-1605 may use the
5 grants in meeting the special housing needs of homeless individuals,
6 including meals, transportation, counseling, housekeeping, care
7 management, and personal emergency response needs.

8 Sec. 18. Section 68-1607, Reissue Revised Statutes of
9 Nebraska, is amended to read:

10 68-1607 ~~Recipients~~ A recipient of grant money shall, upon
11 request, submit to the department records for verification of the
12 information included on applications submitted for grants from the
13 Homeless Shelter Assistance Trust Fund.

14 Sec. 19. Section 68-1608, Reissue Revised Statutes of
15 Nebraska, is amended to read:

16 68-1608 The department shall adopt and promulgate rules
17 and regulations ~~to carry out the Homeless Shelter Assistance Trust~~
18 ~~Fund Act.~~ for purposes of sections 68-1605 and 68-1606.

19 Sec. 20. (1) The department shall use the money in the
20 subaccount of the Homeless Shelter Assistance Trust Fund for purposes
21 of subdivision (2)(c) of section 68-1604 to provide grants to
22 counties, cities, or villages to provide assistance for immediate and
23 temporary housing for individuals who are displaced or homeless as a
24 result of a disaster. The department shall fund in order of priority
25 as many applications as will utilize available funds less actual

1 administrative costs of the department in administering this section.
2 In administering this section, the department may contract for
3 services or directly provide funds to other governmental entities or
4 instrumentalities.

5 (2) Upon declaration of a state of emergency by the
6 Governor, a county, city, or village may apply to the department for
7 a grant to provide housing assistance to individuals who request
8 assistance as provided in this section.

9 (3)(a) The department shall award a grant up to the
10 amount of the funds available in the subaccount for subdivision (2)
11 (b) of section 68-1604 to a county, city, or village which requests
12 the funds pursuant to this section. The request by the county, city,
13 or village may be electronic, telephonic, or by any means available.

14 (b) The department shall prescribe the form to be used by
15 individuals to apply for assistance from a county, city, or village.
16 The form shall include space for the date of the declaration of a
17 state of emergency by the Governor, the amount of money requested,
18 the type of housing which the assistance will be used for, the
19 estimated duration of the need, and other information deemed
20 necessary by the department, except that no documentation shall be
21 required at the time of application.

22 (4) An individual who has been displaced or become
23 homeless as a result of such a disaster may apply to the county,
24 city, or village in which he or she resided at the time of the
25 disaster for temporary housing assistance for up to three months. An

1 individual applying for such assistance shall complete the form
2 prescribed by the department, shall sign the form under penalty of
3 perjury, and shall submit the form to the county, city, or village.
4 An individual receiving assistance under this section shall return
5 money not used for housing assistance.

6 (5) The department shall adopt and promulgate rules and
7 regulations to administer this section. The rules and regulations
8 shall include an action plan which provides for coordination of
9 resources and an expedited application process for counties, cities,
10 and villages to access funds under this section and for individuals
11 to receive funds for emergency assistance from counties, cities, and
12 villages under this section. The rules and regulations shall provide
13 criteria for eligibility of individuals for emergency assistance,
14 including financial need, and prioritization of eligibility for funds
15 by various political subdivisions and individuals. The rules and
16 regulations shall designate the uses which may be made fo such funds,
17 which shall include rental assistance and reimbursement of funds
18 spent in anticipation of receipt of emergency assistance.

19 Sec. 21. Section 76-903, Revised Statutes Supplement,
20 2011, is amended to read:

21 76-903 The Tax Commissioner shall design such stamps in
22 such denominations as in his or her judgment will be the most
23 advantageous to all persons concerned. When any deed subject to the
24 tax imposed by section 76-901 is offered for recordation, the
25 register of deeds shall ascertain and compute the amount of the tax

1 due thereon and shall collect such amount as a prerequisite to
2 acceptance of the deed for recordation. If a dispute arises
3 concerning the taxability of the transfer, the register of deeds
4 shall not record the deed until the disputed tax is paid. If a
5 disputed tax has been paid, the taxpayer may file for a refund
6 pursuant to section 76-908. The taxpayer may also seek a declaratory
7 ruling pursuant to rules and regulations adopted and promulgated by
8 the Department of Revenue. From each two dollars and twenty-five
9 cents of tax collected pursuant to section 76-901, the register of
10 deeds shall retain fifty cents to be placed in the county general
11 fund and shall remit the balance to the State Treasurer who shall
12 credit ninety-five cents of such amount to the Affordable Housing
13 Trust Fund, twenty-five cents of such amount to the Site and Building
14 Development Fund, twenty-five cents of such amount to the Homeless
15 Shelter Assistance Trust Fund, and thirty cents of such amount to the
16 Behavioral Health Services Fund.

17 Sec. 22. Section 81-1213, Revised Statutes Supplement,
18 2011, is amended to read:

19 81-1213 (1) The Industrial Recovery Fund is created. The
20 fund shall be administered by the Department of Economic Development.
21 Any money in the fund available for investment shall be invested by
22 the state investment officer pursuant to the Nebraska Capital
23 Expansion Act and the Nebraska State Funds Investment Act.

24 (2) The department may provide assistance from the fund
25 to a political subdivision impacted by a sudden and significant

1 private-sector entity closure or downsizing that will have a
2 significant impact on the community. The assistance shall be used to
3 mitigate the economic impact of the closure or downsizing by making
4 necessary improvements to the buildings and infrastructure, or both,
5 related to the assets of the private-sector entity.

6 (3) The fund shall consist of funds remitted for deposit
7 in the fund pursuant to section 58-708. If the fund balance exceeds
8 one million dollars, deposits to the fund pursuant to such section
9 shall cease until the fund balance is less than one million dollars.

10 Sec. 23. Original sections 58-701, 58-704, 58-705,
11 58-707, 58-709, 68-1601, 68-1602, 68-1603, 68-1604, 68-1605, 68-1606,
12 68-1607, and 68-1608, Reissue Revised Statutes of Nebraska, and
13 sections 58-702, 58-703, 58-706, 58-708, 58-711, 76-903, and 81-1213,
14 Revised Statutes Supplement, 2011, are repealed.