

LEGISLATURE OF NEBRASKA
ONE HUNDRED FOURTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 948

FINAL READING

Introduced by Morfeld, 46; Hansen, 26; Mello, 5; Pansing Brooks, 28.

Read first time January 13, 2016

Committee: Urban Affairs

- 1 A BILL FOR AN ACT relating to enterprise zones; to amend section 13-2103,
- 2 Revised Statutes Cumulative Supplement, 2014; to change an
- 3 application period limitation for the designation of enterprise
- 4 zones as prescribed; and to repeal the original section.
- 5 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 13-2103, Revised Statutes Cumulative Supplement,
2 2014, is amended to read:

3 13-2103 (1)(a) Beginning on the date the rules and regulations
4 updated in accordance with section 13-2112 become effective as provided
5 in section 84-908, the department shall, for a period of one hundred
6 eighty days, accept formal applications for the designation of enterprise
7 zones. Within sixty days after the end of such application period, the
8 department may designate not more than five areas as enterprise zones
9 based on eligible applications it has received. ~~Each area designated as
10 an enterprise zone shall meet all eligibility criteria. Of the enterprise
11 zones authorized, no more than one shall be located inside the boundaries
12 of a city of the metropolitan class and no more than one inside a city of
13 the primary class.~~

14 (b) If the department has received fewer than five applications for
15 the designation of enterprise zones after the end of the application
16 period described in subdivision (1)(a) of this section, the department
17 may establish a period of time within which to accept additional
18 applications. Within sixty days after the end of such extended
19 application period, the department may designate additional areas as
20 enterprise zones based on additional eligible applications received, but
21 not more than a total of five areas may be designated as enterprise zones
22 pursuant to this section.

23 (c) In the application period, the department may reject from
24 consideration any application which does not fully and completely comport
25 with the provisions of section 13-2104 at the end of the designated
26 application period. In choosing among eligible applications for
27 enterprise zone designation, the department shall consider the levels of
28 distress existing within the applicant areas and the contents of the
29 applicant's formal enterprise zone application.

30 (d) Each area designated as an enterprise zone shall meet all
31 eligibility criteria. Of the enterprise zones authorized, no more than

1 one shall be located inside the boundaries of a city of the metropolitan
2 class and no more than one inside a city of the primary class.

3 (2) Any city, village, tribal government area, or county may apply
4 for designation of an area within such city, village, tribal government
5 area, or county as an enterprise zone, except that if a county seeks to
6 have an area within an incorporated city or village or a tribal
7 government area designated as an enterprise zone, the consent of the
8 governing body of such city, village, or tribal government area shall
9 first be required.

10 (3) If an incorporated city or village or a tribal government area
11 consents, a county may apply on behalf of the city, village, or tribal
12 government area for certification of an area within such city, village,
13 or tribal government area as an enterprise zone. Both a county and a
14 city, village, or tribal government area shall not apply for
15 certification of the same area.

16 (4) Two or more counties or tribal government areas may jointly
17 apply for designation of an area as an enterprise zone which is located
18 on both sides of their common boundaries.

19 (5) Political subdivisions wishing to file an application for
20 designation of an enterprise zone shall first follow the procedures set
21 out in sections 13-2106 to 13-2108. An application for designation as an
22 enterprise zone shall be in a form and contain information prescribed by
23 the department pursuant to section 13-2104.

24 (6) An area designated as an enterprise zone shall retain such
25 designation for a period of ten years from the date of such designation.

26 (7) All enterprise zones designated as such within a single county
27 shall not exceed a total of sixteen square miles in area.

28 Sec. 2. Original section 13-2103, Revised Statutes Cumulative
29 Supplement, 2014, is repealed.