

AMENDMENTS TO LB768

Introduced by Urban Affairs.

1 1. Insert the following new section:

2 Sec. 2. Section 18-2709, Revised Statutes Supplement, 2017, is
3 amended to read:

4 18-2709 (1) Qualifying business means any corporation, partnership,
5 limited liability company, or sole proprietorship which derives its
6 principal source of income from any of the following: The manufacture of
7 articles of commerce; the conduct of research and development; the
8 processing, storage, transport, or sale of goods or commodities which are
9 sold or traded in interstate commerce; the sale of services in interstate
10 commerce; headquarters facilities relating to eligible activities as
11 listed in this section; telecommunications activities, including services
12 providing advanced telecommunications capability; tourism-related
13 activities; or the production of films, including feature, independent,
14 and documentary films, commercials, and television programs.

15 (2) Qualifying business also means:

16 (a) In cities of the first class, cities of the ~~and~~ second class,
17 and villages, a business that derives its principal source of income from
18 the construction or rehabilitation of housing;

19 **(b) In cities of the first class, cities of the second class, and**
20 **villages, a business that derives its principal source of income from**
21 **quality early childhood care and education programs. For purposes of this**
22 **subdivision, quality means meeting or exceeding a step three quality**
23 **rating based on quality rating criteria as provided under the Step Up to**
24 **Quality Child Care Act;**

25 (c) ~~(b)~~ A business that derives its principal source of income from
26 retail trade, except that no more than forty percent of the total revenue
27 generated pursuant to the Local Option Municipal Economic Development Act

1 for an economic development program in any twelve-month period and no
2 more than twenty percent of the total revenue generated pursuant to the
3 act for an economic development program in any five-year period,
4 commencing from the date of municipal approval of an economic development
5 program, shall be used by the city for or devoted to the use of retail
6 trade businesses. For purposes of this subdivision, retail trade means a
7 business which is principally engaged in the sale of goods or commodities
8 to ultimate consumers for their own use or consumption and not for
9 resale; and

10 (d) ~~(e)~~ In cities with a population of two thousand five hundred
11 inhabitants or less as determined by the most recent federal decennial
12 census or the most recent revised certified count by the United States
13 Bureau of the Census, a business shall be a qualifying business even
14 though it derives its principal source of income from activities other
15 than those set out in this section.

16 (3) If a business which would otherwise be a qualifying business
17 employs people and carries on activities in more than one city in
18 Nebraska or will do so at any time during the first year following its
19 application for participation in an economic development program, it
20 shall be a qualifying business only if, in each such city, it maintains
21 employment for the first two years following the date on which such
22 business begins operations in the city as a participant in its economic
23 development program at a level not less than its average employment in
24 such city over the twelve-month period preceding participation.

25 (4) A qualifying business need not be located within the territorial
26 boundaries of the city from which it is or will be receiving financial
27 assistance.

28 (5) Qualifying business does not include a political subdivision, a
29 state agency, or any other governmental entity, except as allowed for
30 cities of the first class, cities of the ~~and~~ second class, and villages
31 for rural infrastructure development as provided for in subsection (4) of

1 section 18-2705.

2 2. On page 2, lines 23, 27, and 30, strike "and second class", show
3 as stricken, and insert "class, cities of the second class,".

4 3. On page 3, line 3, strike "and second class" and insert "class,
5 cities of the second class,"; and in line 12 strike "or village".