

AMENDMENTS TO LB86

Introduced by Revenue.

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

3 Section 1. Section 18-2101, Revised Statutes Cumulative Supplement,
4 2018, is amended to read:

5 18-2101 Sections 18-2101 to 18-2154 and section 2 of this act shall
6 be known and may be cited as the Community Development Law.

7 Sec. 2. (1) For any city that (a) intends to carry out a
8 redevelopment project which will involve the construction of workforce
9 housing in an extremely blighted area as authorized under subdivision
10 (28)(g) of section 18-2103 or (b) intends to declare an area as an
11 extremely blighted area for purposes of funding decisions under
12 subdivision (1)(b) of section 58-708, the governing body of such city
13 shall first declare, by resolution adopted after the public hearings
14 required under this section, such area to be an extremely blighted area.

15 (2) Prior to making such declaration, the governing body of the city
16 shall conduct or cause to be conducted a study or an analysis on whether
17 the area is extremely blighted and shall submit the question of whether
18 such area is extremely blighted to the planning commission or board of
19 the city for its review and recommendation. The planning commission or
20 board shall hold a public hearing on the question after giving notice of
21 the hearing as provided in section 18-2115.01. Such notice shall include
22 a map of sufficient size to show the area to be declared extremely
23 blighted or information on where to find such map and shall provide
24 information on where to find copies of the study or analysis conducted
25 pursuant to this subsection. The planning commission or board shall
26 submit its written recommendations to the governing body of the city
27 within thirty days after the public hearing.

1 (3) Upon receipt of the recommendations of the planning commission
2 or board, or if no recommendations are received within thirty days after
3 the public hearing required under subsection (2) of this section, the
4 governing body shall hold a public hearing on the question of whether the
5 area is extremely blighted after giving notice of the hearing as provided
6 in section 18-2115.01. Such notice shall include a map of sufficient size
7 to show the area to be declared extremely blighted or information on
8 where to find such map and shall provide information on where to find
9 copies of the study or analysis conducted pursuant to subsection (2) of
10 this section. At the public hearing, all interested parties shall be
11 afforded a reasonable opportunity to express their views respecting the
12 proposed declaration. After such hearing, the governing body of the city
13 may make its declaration.

14 (4) Copies of each study or analysis conducted pursuant to
15 subsection (2) of this section shall be posted on the city's public web
16 site or made available for public inspection at a location designated by
17 the city.

18 (5) The study or analysis required under subsection (2) of this
19 section may be conducted in conjunction with the study or analysis
20 required under section 18-2109. The hearings required under this section
21 may be held in conjunction with the hearings required under section
22 18-2109.

23 Sec. 3. Section 18-2115.01, Revised Statutes Cumulative Supplement,
24 2018, is amended to read:

25 18-2115.01 (1) Public notice of any hearing required under section
26 18-2109 or 18-2115 or section 2 of this act shall be given by publication
27 at least once a week for two consecutive weeks in a legal newspaper in or
28 of general circulation in the community. The time of the hearing shall be
29 at least ten days from the last publication.

30 (2)(a) Notice of any hearing required under section 18-2109 or
31 18-2115 or section 2 of this act shall be given to neighborhood

1 associations that have registered under subsection (5) of this section as
2 follows:

3 (i) For a hearing under section 18-2109, notice shall be given to
4 each registered neighborhood association whose area of representation is
5 located in whole or in part within a one-mile radius of the area to be
6 declared substandard and blighted;~~and~~

7 (ii) For a hearing under section 2 of this act, notice shall be
8 given to each registered neighborhood association whose area of
9 representation is located in whole or in part within a one-mile radius of
10 the area to be declared extremely blighted; and

11 (iii) ~~(ii)~~ For a hearing under section 18-2115, notice shall be
12 given to each registered neighborhood association whose area of
13 representation is located in whole or in part within a one-mile radius of
14 the area to be redeveloped.

15 (b) Notice under this subsection shall be given at least ten days
16 prior to the hearing in the manner requested by the neighborhood
17 association. The notice shall be deemed given on the date it is sent.

18 (3)(a) Notice of any hearing required under section 18-2109 or
19 18-2115 or section 2 of this act shall be given to political subdivisions
20 as follows:

21 (i) For a hearing under section 18-2109, notice shall be given to
22 the president or chairperson of the governing body of each county, school
23 district, community college area, educational service unit, and natural
24 resources district in which the real property to be declared substandard
25 and blighted is located;~~and~~

26 (ii) For a hearing under section 2 of this act, notice shall be
27 given to the president or chairperson of the governing body of each
28 county, school district, community college area, educational service
29 unit, and natural resources district in which the real property to be
30 declared extremely blighted is located; and

31 (iii) ~~(ii)~~ For a hearing under section 18-2115, notice shall be

1 given to the president or chairperson of the governing body of each
2 county, school district, community college area, educational service
3 unit, and natural resources district in which the real property subject
4 to the redevelopment plan or substantial modification thereof is located.

5 (b) Notice under this subsection shall be given at least ten days
6 prior to the hearing by certified mail, return receipt requested. The
7 notice shall be deemed given on the date it is mailed by certified mail.

8 (4) All notices given under this section shall describe the time,
9 date, place, and purpose of the hearing.

10 (5) Each neighborhood association desiring to receive notice of any
11 hearing required under section 18-2109 or 18-2115 or section 2 of this
12 act shall register with the city's planning department or, if there is no
13 planning department, with the city clerk. The registration shall include
14 a description of the area of representation of the association, the name
15 of and contact information for the individual designated by the
16 association to receive the notice on its behalf, and the requested manner
17 of service, whether by email, first-class mail, or certified mail.
18 Registration of the neighborhood association for purposes of this section
19 shall be accomplished in accordance with such other rules and regulations
20 as may be adopted and promulgated by the city.

21 Sec. 4. Section 18-2117.04, Revised Statutes Cumulative Supplement,
22 2018, is amended to read:

23 18-2117.04 (1) On and after October 1, 2018, each city that has
24 approved one or more redevelopment plans or redevelopment projects that
25 are financed in whole or in part through the division of taxes as
26 provided in section 18-2147 shall retain copies of (a) all such
27 redevelopment plans and (b) all supporting documents associated with the
28 redevelopment plans or redevelopment projects, ~~and~~ with any related
29 substandard and blighted declaration under section 18-2109, and with any
30 related extremely blighted declaration under section 2 of this act that
31 are received or generated by the city.

1 (2) The city shall retain the redevelopment plans and supporting
2 documents described in subsection (1) of this section for the period of
3 time required under any applicable records retention schedule adopted
4 under the Records Management Act or for three years following the end of
5 the last fiscal year in which ad valorem taxes are divided, whichever
6 period is longer.

7 (3) For purposes of this section, supporting document includes any
8 substandard and blighted study or analysis conducted pursuant to section
9 18-2109, any extremely blighted study or analysis conducted pursuant to
10 section 2 of this act, any cost-benefit analysis conducted pursuant to
11 section 18-2113, and any invoice, receipt, claim, or contract received or
12 generated by the city that provides support for receipts or payments
13 associated with the redevelopment plan or redevelopment project.

14 Sec. 5. Section 58-708, Revised Statutes Cumulative Supplement,
15 2018, is amended to read:

16 58-708 (1) During each calendar year in which funds are available
17 from the Affordable Housing Trust Fund for use by the Department of
18 Economic Development, the department shall make its best efforts to
19 allocate not less than thirty percent of such funds to each congressional
20 district. The department shall announce a grant and loan application
21 period of at least ninety days duration for all projects. In selecting
22 projects to receive trust fund assistance, the department shall develop a
23 qualified allocation plan and give first priority to financially viable
24 projects that serve the lowest income occupants for the longest period of
25 time. The qualified allocation plan shall:

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

1 (b) Give first priority in allocating trust fund assistance among
2 selected projects to those projects which are located in whole or in part
3 within an enterprise zone designated pursuant to the Enterprise Zone Act,
4 serve the lowest income occupant, are located in an area that has been
5 declared an extremely blighted area under section 2 of this act, and are
6 obligated to serve qualified occupants for the longest period of time.

7 (2) The department shall fund in order of priority as many
8 applications as will utilize available funds less actual administrative
9 costs of the department in administering the program. In administering
10 the program the department may contract for services or directly provide
11 funds to other governmental entities or instrumentalities.

12 (3) The department may recapture any funds which were allocated to a
13 qualified recipient for an eligible project through an award agreement if
14 such funds were not utilized for eligible costs within the time of
15 performance under the agreement and are therefor no longer obligated to
16 the project. The recaptured funds shall be credited to the Affordable
17 Housing Trust Fund.

18 Sec. 6. Original sections 18-2101, 18-2115.01, 18-2117.04, and
19 58-708, Revised Statutes Cumulative Supplement, 2018, are repealed.