

LEGISLATURE OF NEBRASKA
ONE HUNDRED SEVENTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 479

Introduced by McKinney, 11.

Read first time January 15, 2021

Committee: Revenue

- 1 A BILL FOR AN ACT relating to the Convention Center Facility Financing
- 2 Assistance Act; to amend section 13-2610, Revised Statutes
- 3 Cumulative Supplement, 2020; to change the membership of a committee
- 4 as prescribed; and to repeal the original section.
- 5 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 13-2610, Revised Statutes Cumulative Supplement,
2 2020, is amended to read:

3 13-2610 (1) Upon the annual certification under section 13-2609, the
4 State Treasurer shall transfer after the audit the amount certified to
5 the Convention Center Support Fund. The Convention Center Support Fund is
6 created. Transfers may be made from the fund to the General Fund at the
7 direction of the Legislature. Any money in the Convention Center Support
8 Fund available for investment shall be invested by the state investment
9 officer pursuant to the Nebraska Capital Expansion Act and the Nebraska
10 State Funds Investment Act.

11 (2) It is the intent of the Legislature to appropriate from the fund
12 to any political subdivision for which an application for state
13 assistance under the Convention Center Facility Financing Assistance Act
14 has been approved an amount not to exceed (a) seventy percent of the
15 state sales tax revenue collected by retailers and operators doing
16 business at such facilities on sales at such facilities, state sales tax
17 revenue collected on primary and secondary box office sales of admissions
18 to such facilities, and state sales tax revenue collected by associated
19 hotels, (b) seventy-five million dollars for any one approved project, or
20 (c) the total cost of acquiring, constructing, improving, or equipping
21 the eligible facility. State assistance shall not be used for an
22 operating subsidy or other ancillary facility.

23 (3)(a) Ten percent of such funds appropriated to a city of the
24 metropolitan class under subsection (2) of this section shall be equally
25 distributed to areas with a high concentration of poverty to (i) showcase
26 important historical aspects of such areas or areas within close
27 geographic proximity of the area with a high concentration of poverty or
28 (ii) assist with the reduction of street and gang violence in such areas.

29 (b) Each area with a high concentration of poverty that has been
30 distributed funds under subdivision (3)(a) of this section shall
31 establish a development fund and form a committee which shall identify

1 and research potential projects to be completed in the area with a high
2 concentration of poverty or in an area within close geographic proximity
3 of such area if the project would have a significant or demonstrable
4 impact on such area and make final determinations on the use of state
5 sales tax revenue received for such projects.

6 (c) A committee formed under subdivision (3)(b) of this section
7 shall include the following three members:

8 (i) The member of the city council whose district includes a
9 majority of the census tracts which each contain a percentage of persons
10 below the poverty line of greater than thirty percent, as determined by
11 the most recent federal decennial census, within the area with a high
12 concentration of poverty;

13 (ii) The commissioner of the county whose district includes a
14 majority of the census tracts which each contain a percentage of persons
15 below the poverty line of greater than thirty percent, as determined by
16 the most recent federal decennial census, within the area with a high
17 concentration of poverty; ~~and~~

18 (iii) Two residents ~~A resident~~ of the area with a high concentration
19 of poverty, appointed by the ~~other~~ two members of the committee described
20 in subdivisions (3)(c)(i) and (ii) of this section; and -

21 (iv) The member of the Legislature whose district includes a
22 majority of the census tracts which each contain a percentage of persons
23 below the poverty line of greater than thirty percent, as determined by
24 the most recent federal decennial census, within the area with a high
25 concentration of poverty. The member described in this subdivision shall
26 be a nonvoting member of the committee.

27 (d) A committee formed under subdivision (3)(b) of this section
28 shall solicit project ideas from the public and shall hold a public
29 hearing in the area with a high concentration of poverty. Notice of a
30 proposed hearing shall be provided in accordance with the procedures for
31 notice of a public hearing pursuant to section 18-2115.01. The committee

1 shall research potential projects and make the final determination
2 regarding the annual distribution of funding to such projects.

3 (e) For purposes of this subsection, an area with a high
4 concentration of poverty means an area within the corporate limits of a
5 city of the metropolitan class consisting of one or more contiguous
6 census tracts, as determined by the most recent federal decennial census,
7 which contain a percentage of persons below the poverty line of greater
8 than thirty percent, and all census tracts contiguous to such tract or
9 tracts, as determined by the most recent federal decennial census.

10 (4)(a) Ten percent of such funds appropriated to a city of the
11 primary class under subsection (2) of this section may, if the city
12 determines by consent of the city council that such funds are not
13 currently needed for the purposes described in section 13-2604, be used
14 as follows:

15 (i) For investment in the construction of qualified low-income
16 housing projects as defined in 26 U.S.C. 42, including qualified projects
17 receiving Nebraska affordable housing tax credits under the Affordable
18 Housing Tax Credit Act; or

19 (ii) If there are no such qualified low-income housing projects as
20 defined in 26 U.S.C. 42 being constructed or expected to be constructed
21 within the political subdivision, for investment in areas with a high
22 concentration of poverty to assist with low-income housing needs.

23 (b) For purposes of this subsection, an area with a high
24 concentration of poverty means an area within the corporate limits of a
25 city of the primary class consisting of one or more contiguous census
26 tracts, as determined by the most recent American Community Survey 5-Year
27 Estimate, which contain a percentage of persons below the poverty line of
28 greater than thirty percent, and all census tracts contiguous to such
29 tract or tracts, as determined by the most recent American Community
30 Survey 5-Year Estimate.

31 (5) State assistance to the political subdivision shall no longer be

1 available upon the retirement of the bonds issued to acquire, construct,
2 improve, or equip the facility or any subsequent bonds that refunded the
3 original issue or when state assistance reaches the amount determined
4 under subsection (2) of this section, whichever comes first.

5 (6) The remaining thirty percent of state sales tax revenue
6 collected by retailers and operators doing business at such facilities on
7 sales at such facilities, state sales tax revenue collected on primary
8 and secondary box office sales of admissions to such facilities, and
9 state sales tax revenue collected by associated hotels, shall be
10 appropriated by the Legislature to the Civic and Community Center
11 Financing Fund. Upon the annual certification required pursuant to
12 section 13-2609 and following the transfer to the Convention Center
13 Support Fund required pursuant to subsection (1) of this section, the
14 State Treasurer shall transfer an amount equal to the remaining thirty
15 percent from the Convention Center Support Fund to the Civic and
16 Community Center Financing Fund.

17 (7) Any municipality that has applied for and received a grant of
18 assistance under the Civic and Community Center Financing Act may not
19 receive state assistance under the Convention Center Facility Financing
20 Assistance Act.

21 Sec. 2. Original section 13-2610, Revised Statutes Cumulative
22 Supplement, 2020, is repealed.