

LEGISLATURE OF NEBRASKA
ONE HUNDRED NINTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 852

FINAL READING

Introduced by Spivey, 13; McKinney, 11.

Read first time January 08, 2026

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 Supplement, 2025; to provide for the recapture of funding
- 4 distributed from the Convention Center Support Fund to certain
- 5 recipients; to provide an operative date; and to repeal the original
- 6 section.
- 7 Be it enacted by the people of the State of Nebraska,

1 **Section 1.** Section 13-2610, Revised Statutes Supplement, 2025, is
2 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)(a) It is the intent of the Legislature to appropriate from the
12 fund to any political subdivision for which an application for state
13 assistance under the Convention Center Facility Financing Assistance Act
14 has been approved (i) an annual amount not to exceed seventy percent of
15 the 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 and nearby retailers and (ii) an aggregate amount of not more than
20 the maximum aggregate appropriation. State assistance shall not be used
21 for an operating subsidy.

22 (b) It is further the intent of the Legislature to appropriate from
23 the fund to any city of the metropolitan class for which an application
24 for state assistance under the Convention Center Facility Financing
25 Assistance Act has been approved an amount not to exceed the amount of
26 money transferred to the fund pursuant to subdivision (9)(a) of section
27 13-3108.

28 (3)(a) Ten percent of the funds appropriated to a city of the
29 metropolitan class under subdivision (2)(a) of this section and all of
30 the funds appropriated to a city of the metropolitan class under
31 subdivision (2)(b) of this section shall be equally distributed to areas

1 with a high concentration of poverty. Fifty-five percent of such funds
2 shall be used to showcase important historical aspects of such areas or
3 areas within close geographic proximity of the area with a high
4 concentration of poverty and to assist with the reduction of street and
5 gang violence in such areas. Forty-five percent of such funds shall be
6 used to assist with small business and entrepreneurship growth in such
7 areas.

8 (b) Each area with a high concentration of poverty that has been
9 distributed funds under subdivision (3)(a) of this section shall
10 establish a development fund and form a committee which shall identify
11 and research potential projects to be completed in the area with a high
12 concentration of poverty or in an area within close geographic proximity
13 of such area if the project would have a significant or demonstrable
14 impact on such area and make final determinations on the use of the funds
15 received for such projects.

16 (c) A committee formed under subdivision (3)(b) of this section
17 shall include the following members:

18 (i) The member of the city council whose district includes a
19 majority of the census tracts which each contain a percentage of persons
20 below the poverty line of greater than thirty percent, as determined by
21 the most recent American Community Survey 5-Year Estimate, within the
22 area with a high concentration of poverty;

23 (ii) The commissioner of the county whose district includes a
24 majority of the census tracts which each contain a percentage of persons
25 below the poverty line of greater than thirty percent, as determined by
26 the most recent American Community Survey 5-Year Estimate, within the
27 area with a high concentration of poverty;

28 (iii) Two residents of the area with a high concentration of
29 poverty, appointed by the two members of the committee described in
30 subdivisions (3)(c)(i) and (ii) of this section. Such resident members
31 shall be appointed for four-year terms. Each time a resident member is to

1 be appointed pursuant to this subdivision, the committee shall solicit
2 applications from interested individuals by posting notice of the open
3 position on the city's website and on the city's official social media
4 accounts, if any, and by publishing the notice in a legal newspaper in or
5 of general circulation in the area with a high concentration of poverty.
6 Applications may be submitted to either of the committee members
7 described in subdivisions (3)(c)(i) and (ii) of this section. Prior to
8 making any appointment, the committee shall hold a public hearing in the
9 area with a high concentration of poverty. Notice of the hearing shall be
10 provided, at least seven days prior to the hearing, by posting the notice
11 on the city's website and on the city's official social media accounts,
12 if any, and by publishing the notice in a legal newspaper in or of
13 general circulation in the area with a high concentration of poverty; and

14 (iv) The member of the Legislature whose district includes a
15 majority of the census tracts which each contain a percentage of persons
16 below the poverty line of greater than thirty percent, as determined by
17 the most recent American Community Survey 5-Year Estimate, within the
18 area with a high concentration of poverty. The member described in this
19 subdivision shall be a nonvoting member of the committee.

20 (d) A committee formed under subdivision (3)(b) of this section
21 shall solicit project ideas from the public and shall hold a public
22 hearing in the area with a high concentration of poverty. Notice of a
23 proposed hearing shall be provided in accordance with the procedures for
24 notice of a public hearing pursuant to section 18-2115.01. The committee
25 shall research potential projects and make the final determination
26 regarding the annual distribution of funding to such projects.

27 (e) For any committee formed under subdivision (3)(b) of this
28 section:

29 (i) The two committee members described in subdivisions (3)(c)(i)
30 and (ii) of this section shall share joint responsibility of all
31 committee operations and meetings. Applications for funding may be

1 submitted to either of such members; and

2 (ii) All applications, reports, and other records of the committee
3 shall be accessible to any member of the committee.

4 (f) Each recipient of funding from a committee formed under
5 subdivision (3)(b) of this section shall submit an itemized report to
6 such committee on the use of such funds. A recipient shall not be
7 eligible to receive funding for more than three consecutive years unless
8 such recipient is able to justify continued funding based on the
9 following criteria:

10 (i) The number of people served by the project;

11 (ii) The relevance and scale of the project;

12 (iii) The desirability of the social or environmental outcomes of
13 the project and how such outcomes will be achievable and measurable;

14 (iv) The economic impact on the area with a high concentration of
15 poverty; and

16 (v) The recipient's sustainability plan.

17 (g)(i) Each recipient of funding from a committee formed under
18 subdivision (3)(b) of this section shall maintain its principal place of
19 business or primary operations within the area with a high concentration
20 of poverty for a period of not less than three years following the
21 receipt of such funding.

22 (ii) If an entity fails to maintain its principal place of business
23 or primary operations within the area with a high concentration of
24 poverty for the three-year period required under subdivision (3)(g)(i) of
25 this section, the county in which the recipient is located may recapture
26 the funding received by the recipient.

27 (iii) The amount of funding subject to recapture shall be determined
28 on a pro rata basis based on the portion of the three-year period during
29 which the recipient failed to remain in compliance with subdivision (3)
30 (g)(i) of this section.

31 (iv) Any funding recaptured by a county pursuant to this subdivision

1 (3)(g) shall be returned to the Convention Center Support Fund or to an
2 applicable development fund administered by the county, as determined by
3 the county.

4 (v) A county may, by resolution, establish policies, procedures, and
5 contractual conditions necessary to enforce this subdivision (3)(g),
6 including notice requirements, repayment schedules, and documentation
7 standards.

8 (vi) The recapture of funding pursuant to this subdivision (3)(g)
9 shall be in addition to and shall not preempt any other remedies
10 available to a county under law or contract.

11 (h) ~~(g)~~ On or before July 1, 2022, and on or before July 1 of each
12 year thereafter, a committee formed under subdivision (3)(b) of this
13 section shall electronically submit a report to the Legislature which
14 includes:

15 (i) A description of the projects that were funded during the most
16 recently completed calendar year;

17 (ii) A description of where such projects were located;

18 (iii) A description of the outcomes of such projects; and

19 (iv) A ten-year strategic plan on how the committee plans to meet
20 the goals described in subdivision (3)(a) of this section.

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

28 (4)(a) Ten percent of the funds appropriated to a city of the
29 primary class under subdivision (2)(a) of this section may, if the city
30 determines by consent of the city council that such funds are not
31 currently needed for the purposes described in section 13-2604, be used

1 as follows:

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

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

10 (b) For purposes of this subsection, an area with a high
11 concentration of poverty means an area within the corporate limits of a
12 city of the primary class consisting of one or more contiguous census
13 tracts, as determined by the most recent American Community Survey 5-Year
14 Estimate, which contain a percentage of persons below the poverty line of
15 greater than thirty percent, and all census tracts contiguous to such
16 tract or tracts, as determined by the most recent American Community
17 Survey 5-Year Estimate.

18 (5) State assistance to the political subdivision shall no longer be
19 available (a) upon the retirement of the bonds issued to acquire,
20 construct, improve, repair, replace, or equip all of the political
21 subdivision's facilities approved for state assistance under the
22 Convention Center Facility Financing Assistance Act or any subsequent
23 bonds that refunded the original issue or (b) when state assistance
24 reaches the amount determined under subdivision (2)(a) of this section,
25 whichever comes first.

26 (6) The remaining thirty percent of state sales tax revenue
27 collected by retailers and operators doing business at such facilities on
28 sales at such facilities, state sales tax revenue collected on primary
29 and secondary box office sales of admissions to such facilities, and
30 state sales tax revenue collected by associated hotels and nearby
31 retailers, shall be appropriated by the Legislature to the Civic and

1 Community Center Financing Fund. Upon the annual certification required
2 pursuant to section 13-2609 and following the transfer to the Convention
3 Center Support Fund required pursuant to subsection (1) of this section,
4 the State Treasurer shall transfer an amount equal to the remaining
5 thirty percent from the Convention Center Support Fund to the Civic and
6 Community Center Financing Fund.

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

11 **Sec. 2.** This act becomes operative on January 1, 2027.

12 **Sec. 3.** Original section 13-2610, Revised Statutes Supplement,
13 2025, is repealed.