

AMENDMENTS TO LB927

Introduced by Revenue.

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

3 Section 1. Section 13-2603, Revised Statutes Cumulative Supplement,
4 2020, is amended to read:

5 13-2603 For purposes of the Convention Center Facility Financing
6 Assistance Act:

7 (1) Associated hotel means any publicly or privately owned facility
8 in which the public may, for a consideration, obtain sleeping
9 accommodations and which is located, in whole or in part, within six
10 hundred yards of an eligible facility, measured from any point of the
11 exterior perimeter of the eligible facility but not from any parking
12 facility or other structure;

13 (2) Board means a board consisting of the Governor, the State
14 Treasurer, the chairperson of the Nebraska Investment Council, the
15 chairperson of the Nebraska State Board of Public Accountancy, and a
16 professor of economics on the faculty of a state postsecondary
17 educational institution appointed to a two-year term on the board by the
18 Coordinating Commission for Postsecondary Education. For administrative
19 and budget purposes only, the board shall be considered part of the
20 Department of Revenue;

21 (3) Bond means a general obligation bond, redevelopment bond, lease-
22 purchase bond, revenue bond, or combination of any such bonds;

23 (4) Convention and meeting center facility means a temperature-
24 controlled building and personal property primarily used as a convention
25 and meeting center, including an auditorium, an exhibition hall, a
26 facility for onsite food preparation and serving, an onsite, directly
27 connected parking facility for the use of the convention and meeting

1 center facility, a nearby parking facility for the use of the convention
2 and meeting center facility, and an onsite administrative office of the
3 convention and meeting center facility;

4 (5)(a) Eligible facility means any publicly owned convention and
5 meeting center facility approved for state assistance on or before June
6 1, 2007, any publicly owned sports arena facility attached to such
7 convention and meeting center facility, or any publicly or privately
8 owned convention and meeting center facility or publicly or privately
9 owned sports arena facility acquired, constructed, improved, or equipped
10 after June 1, 2007; and

11 (b) Beginning with applications for financial assistance received on
12 or after February 1, 2008, eligible facility does not include any
13 publicly or privately owned sports arena facility with a seating capacity
14 greater than sixteen thousand seats;

15 (6) General obligation bond means any bond or refunding bond issued
16 by a political subdivision and which is payable from the proceeds of an
17 ad valorem tax;

18 (7) Nearby parking facility means any parking lot, parking garage,
19 or other parking structure that is not directly connected to a convention
20 and meeting center facility but which is located, in whole or in part,
21 within six hundred yards of a convention and meeting center facility,
22 measured from any point of the exterior perimeter of such facility but
23 not from any other parking facility or other structure;

24 (8) ~~(7)~~ Political subdivision means any local governmental body
25 formed and organized under state law and any joint entity or joint public
26 agency created under state law to act on behalf of political subdivisions
27 which has statutory authority to issue general obligation bonds;

28 (9) ~~(8)~~ Revenue bond means any bond or refunding bond issued by a
29 political subdivision which is limited or special rather than a general
30 obligation bond of the political subdivision and which is not payable
31 from the proceeds of an ad valorem tax; and

1 (10) ~~(9)~~ Sports arena facility means any enclosed temperature-
2 controlled building primarily used for competitive sports, including
3 arenas, dressing and locker facilities, concession areas, parking
4 facilities, and onsite administrative offices connected with operating
5 the facilities.

6 Sec. 2. Section 13-2604, Revised Statutes Cumulative Supplement,
7 2020, is amended to read:

8 13-2604 Any political subdivision that has acquired, constructed,
9 improved, or equipped or has approved a general obligation bond issue to
10 acquire, construct, improve, or equip eligible facilities may apply to
11 the board for state assistance. The state assistance shall be used:

12 (1) To pay back amounts expended or borrowed through one or more
13 issues of bonds to be expended by the political subdivision to acquire,
14 construct, improve, and equip eligible facilities until repayment in full
15 of the amounts expended or borrowed by the political subdivision,
16 including the principal of and interest on bonds, for eligible
17 facilities;~~and~~

18 (2) To pay for capital improvements to eligible facilities;and ~~-~~

19 (3) To acquire, construct, improve, and equip nearby parking
20 facilities.

21 Sec. 3. Section 13-2610, Revised Statutes Supplement, 2021, is
22 amended to read:

23 13-2610 (1) Upon the annual certification under section 13-2609, the
24 State Treasurer shall transfer after the audit the amount certified to
25 the Convention Center Support Fund. The Convention Center Support Fund is
26 created. Transfers may be made from the fund to the General Fund at the
27 direction of the Legislature. Any money in the Convention Center Support
28 Fund available for investment shall be invested by the state investment
29 officer pursuant to the Nebraska Capital Expansion Act and the Nebraska
30 State Funds Investment Act.

31 (2)(a) It is the intent of the Legislature to appropriate from the

1 fund to any political subdivision for which an application for state
2 assistance under the Convention Center Facility Financing Assistance Act
3 has been approved an amount not to exceed (i) seventy percent of the
4 state sales tax revenue collected by retailers and operators doing
5 business at such facilities on sales at such facilities, state sales tax
6 revenue collected on primary and secondary box office sales of admissions
7 to such facilities, and state sales tax revenue collected by associated
8 hotels, (ii) one hundred fifty ~~seventy-five~~ million dollars for any one
9 approved project, or (iii) the total cost of acquiring, constructing,
10 improving, or equipping the eligible facility. State assistance shall not
11 be used for an operating subsidy ~~or other ancillary facility~~.

12 (b) It is further the intent of the Legislature to appropriate from
13 the fund to any city of the metropolitan class for which an application
14 for state assistance under the Convention Center Facility Financing
15 Assistance Act has been approved an amount not to exceed the amount of
16 money transferred to the fund pursuant to subdivision (9)(a) of section
17 13-3108.

18 (3)(a) Ten percent of the funds appropriated to a city of the
19 metropolitan class under subdivision (2)(a) of this section and all of
20 the funds appropriated to a city of the metropolitan class under
21 subdivision (2)(b) of this section shall be equally distributed to areas
22 with a high concentration of poverty to (i) showcase important historical
23 aspects of such areas or areas within close geographic proximity of the
24 area with a high concentration of poverty, (ii) assist with the reduction
25 of street and gang violence in such areas, or (iii) assist with small
26 business and entrepreneurship growth in such areas.

27 (b) Each area with a high concentration of poverty that has been
28 distributed funds under subdivision (3)(a) of this section shall
29 establish a development fund and form a committee which shall identify
30 and research potential projects to be completed in the area with a high
31 concentration of poverty or in an area within close geographic proximity

1 of such area if the project would have a significant or demonstrable
2 impact on such area and make final determinations on the use of the funds
3 received for such projects.

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

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

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

16 (iii) Two residents of the area with a high concentration of
17 poverty, appointed by the two members of the committee described in
18 subdivisions (3)(c)(i) and (ii) of this section. Such resident members
19 shall be appointed for four-year terms. Each time a resident member is to
20 be appointed pursuant to this subdivision, the committee shall solicit
21 applications from interested individuals by posting notice of the open
22 position on the city's website and on the city's official social media
23 accounts, if any, and by publishing the notice in a legal newspaper in or
24 of general circulation in the area with a high concentration of poverty.
25 Prior to making any appointment, the committee shall hold a public
26 hearing in the area with a high concentration of poverty. Notice of the
27 hearing shall be provided, at least seven days prior to the hearing, by
28 posting the notice on the city's website and on the city's official
29 social media accounts, if any, and by publishing the notice in a legal
30 newspaper in or of general circulation in the area with a high
31 concentration of poverty; and

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

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

14 (e) On or before July 1, 2022, and on or before July 1 of each year
15 thereafter, a committee formed under subdivision (3)(b) of this section
16 shall electronically submit a report to the Legislature which includes:

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

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

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

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

23 (f) 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 metropolitan class consisting of one or more contiguous
26 census tracts, as determined by the most recent federal decennial census,
27 which contain a percentage of persons below the poverty line of greater
28 than thirty percent, and all census tracts contiguous to such tract or
29 tracts, as determined by the most recent federal decennial census.

30 (4)(a) Ten percent of the funds appropriated to a city of the
31 primary class under subdivision (2)(a) of this section may, if the city

1 determines by consent of the city council that such funds are not
2 currently needed for the purposes described in section 13-2604, be used
3 as follows:

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

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

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

20 (5) State assistance to the political subdivision shall no longer be
21 available upon the retirement of the bonds issued to acquire, construct,
22 improve, or equip the facility or any subsequent bonds that refunded the
23 original issue or when state assistance reaches the amount determined
24 under subdivision (2)(a) of this section, whichever comes first.

25 (6) The remaining thirty percent of state sales tax revenue
26 collected by retailers and operators doing business at such facilities on
27 sales at such facilities, state sales tax revenue collected on primary
28 and secondary box office sales of admissions to such facilities, and
29 state sales tax revenue collected by associated hotels, shall be
30 appropriated by the Legislature to the Civic and Community Center
31 Financing Fund. Upon the annual certification required pursuant to

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

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

10 Sec. 4. Section 13-2705, Revised Statutes Cumulative Supplement,
11 2020, is amended to read:

12 13-2705 The department may conditionally approve grants of
13 assistance from the fund to eligible and competitive applicants subject
14 to the following limits and requirements:

15 (1) Except as provided in subdivision (2) of this section and
16 subsection (4) of section 13-2706, a grant request shall be in an amount
17 meeting the following requirements:

18 (a) For a grant of assistance under section 13-2704.01, at least
19 fifteen thousand dollars but no more than:

20 (i) For a city of the primary class, two million two hundred fifty
21 thousand dollars;

22 (ii) For a city with a population of at least forty thousand
23 inhabitants but fewer than one hundred thousand inhabitants as determined
24 by the most recent federal decennial census or the most recent revised
25 certified count by the United States Bureau of the Census, one million
26 one hundred twenty-five thousand dollars;

27 (iii) For a city with a population of at least twenty thousand
28 inhabitants but fewer than forty thousand inhabitants as determined by
29 the most recent federal decennial census or the most recent revised
30 certified count by the United States Bureau of the Census, seven hundred
31 fifty thousand dollars;

1 (iv) For a city with a population of at least ten thousand
2 inhabitants but fewer than twenty thousand inhabitants as determined by
3 the most recent federal decennial census or the most recent revised
4 certified count by the United States Bureau of the Census, six hundred
5 thousand dollars; and

6 (v) For a municipality with a population of fewer than ten thousand
7 inhabitants as determined by the most recent federal decennial census or
8 the most recent revised certified count by the United States Bureau of
9 the Census, three hundred seventy-five thousand dollars; and

10 (b) For a grant of assistance under section 13-2704.02, at least
11 three thousand dollars but no more than fifteen thousand dollars;

12 (2) Except as provided in subsection (4) of section 13-2706, upon
13 ~~Upon~~ the balance of the fund reaching three million seven hundred fifty
14 thousand dollars, and until the balance of the fund falls below one
15 million five hundred thousand dollars, a grant request shall be in an
16 amount meeting the following requirements:

17 (a) For a grant of assistance under section 13-2704.01, at least
18 fifteen thousand dollars but no more than:

19 (i) For a city of the primary class, three million three hundred
20 seventy-five thousand dollars;

21 (ii) For a city with a population of at least forty thousand
22 inhabitants but fewer than one hundred thousand inhabitants as determined
23 by the most recent federal decennial census or the most recent revised
24 certified count by the United States Bureau of the Census, one million
25 six hundred eighty-seven thousand dollars;

26 (iii) For a city with a population of at least twenty thousand
27 inhabitants but fewer than forty thousand inhabitants as determined by
28 the most recent federal decennial census or the most recent revised
29 certified count by the United States Bureau of the Census, one million
30 one hundred twenty-five thousand dollars;

31 (iv) For a city with a population of at least ten thousand

1 inhabitants but fewer than twenty thousand inhabitants as determined by
2 the most recent federal decennial census or the most recent revised
3 certified count by the United States Bureau of the Census, nine hundred
4 thousand dollars; and

5 (v) For a municipality with a population of fewer than ten thousand
6 inhabitants as determined by the most recent federal decennial census or
7 the most recent revised certified count by the United States Bureau of
8 the Census, five hundred sixty-two thousand dollars; and

9 (b) For a grant of assistance under section 13-2704.02, at least
10 three thousand dollars but no more than fifteen thousand dollars;

11 (3) Assistance from the fund shall not amount to more than fifty
12 percent of the cost of the project for which a grant is requested;

13 (4) A municipality shall not be awarded more than one grant of
14 assistance under section 13-2704.01 and one grant of assistance under
15 section 13-2704.02 in any two-year period;

16 (5) Any eligible facility for which a grant of assistance under
17 section 13-2704.01 is made shall not be sold for at least five years
18 following the award of such grant of assistance; ~~and~~

19 (6) An application for a grant of assistance to assist in the
20 preservation, restoration, conversion, rehabilitation, or reuse of a
21 historic building or district shall include a notification of approval
22 from the State Historic Preservation Officer that the work proposed in
23 the application conforms to the United States Secretary of the Interior's
24 Standards for the Treatment of Historic Properties. If the application
25 does not include such notification of approval from the State Historic
26 Preservation Officer, the department shall not award a grant of
27 assistance for such application; and -

28 (7) An application for a grant of assistance to a municipality
29 partnering with a certified creative district as provided in subsection
30 (4) of section 13-2706 shall include a notification of approval from the
31 Nebraska Arts Council that the work proposed in the application conforms

1 to the council's standards. If the application does not include such
2 notification of approval from the Nebraska Arts Council, the department
3 shall not award a grant of assistance for such application.

4 Sec. 5. Section 13-2706, Reissue Revised Statutes of Nebraska, is
5 amended to read:

6 13-2706 (1) Except as provided in subsection (2) of this section for
7 a city of the primary class, any municipality that has applied for and
8 received a grant of assistance under the Sports Arena Facility Financing
9 Assistance Act shall not receive state assistance under the Civic and
10 Community Center Financing Act for the same project for which the grant
11 was awarded under the Sports Arena Facility Financing Assistance Act.

12 (2) A city of the primary class shall not be eligible to receive a
13 grant of assistance from the Civic and Community Center Financing Act if
14 the city has applied for and received a grant of assistance under the
15 Sports Arena Facility Financing Assistance Act.

16 (3) Any city that has received funding under the Convention Center
17 Facility Financing Assistance Act shall not receive state assistance
18 under the Civic and Community Center Financing Act.

19 (4) From July 1, 2023, to June 30, 2024, a municipality shall be
20 eligible for a grant of assistance under the Civic and Community Center
21 Financing Act only if such municipality (a) partners with a certified
22 creative district and (b) is not prohibited from receiving a grant of
23 assistance under subsection (1), (2), or (3) of this section.
24 Notwithstanding the limitations on the amount of grants of assistance in
25 section 13-2705, the amount of any grant of assistance for a municipality
26 partnering with a certified creative district shall not be less than one
27 hundred thousand dollars or more than two hundred fifty thousand dollars,
28 regardless of the population of the municipality. For purposes of this
29 subsection, certified creative district means a creative district
30 certified pursuant to subdivision (5) of section 82-312. After June 30,
31 2024, this subsection no longer applies.

1 (5) ~~(4)~~ Any municipality eligible for a grant of assistance as
2 provided in this section may apply for a grant of assistance from the
3 fund. Application shall be made on forms developed by the department.

4 Sec. 6. Section 13-3102, Revised Statutes Supplement, 2021, is
5 amended to read:

6 13-3102 For purposes of the Sports Arena Facility Financing
7 Assistance Act:

8 (1) Applicant means:

9 (a) A political subdivision; or

10 (b) A political subdivision and nonprofit organization that jointly
11 submit an application under the act;

12 (2) Board means a board consisting of the Governor, the State
13 Treasurer, the chairperson of the Nebraska Investment Council, the
14 chairperson of the Nebraska State Board of Public Accountancy, and a
15 professor of economics on the faculty of a state postsecondary
16 educational institution appointed to a two-year term on the board by the
17 Coordinating Commission for Postsecondary Education. For administrative
18 and budget purposes only, the board shall be considered part of the
19 Department of Revenue;

20 (3) Bond means a general obligation bond, redevelopment bond, lease-
21 purchase bond, revenue bond, or combination of any such bonds;

22 (4) Court means a rectangular hard surface primarily used indoors
23 for competitive sports, including, but not limited to, basketball,
24 volleyball, or tennis;

25 (5) Date that the project commenced means the date when a project
26 starts as specified by a contract, resolution, or formal public
27 announcement;

28 (6) Economic redevelopment area means an area in the State of
29 Nebraska in which:

30 (a) The average rate of unemployment in the area during the period
31 covered by the most recent federal decennial census or American Community

1 Survey 5-Year Estimate by the United States Bureau of the Census is at
2 least one hundred fifty percent of the average rate of unemployment in
3 the state during the same period; and

4 (b) The average poverty rate in the area is twenty percent or more
5 for the federal census tract in the area;

6 (7) Eligible sports arena facility means:

7 (a) Any publicly owned, enclosed, and temperature-controlled
8 building primarily used for sports that has a permanent seating capacity
9 of at least three thousand but no more than seven thousand seats and in
10 which initial occupancy occurs on or after July 1, 2010, including
11 stadiums, arenas, dressing and locker facilities, concession areas,
12 parking facilities, nearby parking facilities for the use of the eligible
13 sports arena facility, and onsite administrative offices connected with
14 operating the facilities;

15 (b) Any racetrack enclosure licensed by the State Racing and Gaming
16 Commission in which initial occupancy occurs on or after July 1, 2010,
17 including concession areas, parking facilities, and onsite administrative
18 offices connected with operating the racetrack; and

19 (c) Any sports complex, including concession areas, parking
20 facilities, and onsite administrative offices connected with operating
21 the sports complex;

22 (8) General obligation bond means any bond or refunding bond issued
23 by a political subdivision and which is payable from the proceeds of an
24 ad valorem tax;

25 (9) Increase in state sales tax revenue means the amount of state
26 sales tax revenue collected by a nearby retailer during the fiscal year
27 for which state assistance is calculated minus the amount of state sales
28 tax revenue collected by the nearby retailer in the fiscal year that
29 ended immediately preceding the project completion date of the eligible
30 sports arena facility, except that the amount of state sales tax revenue
31 of a nearby retailer shall not be less than zero;

1 (10) Multipurpose field means a rectangular field of grass or
2 synthetic turf which is primarily used for competitive field sports,
3 including, but not limited to, soccer, football, flag football, lacrosse,
4 or rugby;

5 (11) Nearby parking facility means any parking lot, parking garage,
6 or other parking structure that is not directly connected to an eligible
7 sports arena facility but which is located, in whole or in part, within
8 seven hundred yards of an eligible sports arena facility, measured from
9 any point of the exterior perimeter of such facility but not from any
10 other parking facility or other structure;

11 (12) ~~(11)~~ Nearby retailer means a retailer as defined in section
12 77-2701.32 that is located within the program area. The term includes a
13 subsequent owner of a nearby retailer operating at the same location;

14 (13) ~~(12)~~ New state sales tax revenue means:

15 (a) For any eligible sports arena facility that is not a sports
16 complex:

17 (i) One hundred percent of the state sales tax revenue that (A) is
18 collected by a nearby retailer that commenced collecting state sales tax
19 during the period of time beginning twenty-four months prior to the
20 project completion date of the eligible sports arena facility and ending
21 forty-eight months after the project completion date of the eligible
22 sports arena facility or, for applications for state assistance approved
23 prior to October 1, 2016, forty-eight months after October 1, 2016, and
24 (B) is sourced under sections 77-2703.01 to 77-2703.04 to the program
25 area; and

26 (ii) The increase in state sales tax revenue that (A) is collected
27 by a nearby retailer that commenced collecting state sales tax prior to
28 twenty-four months prior to the project completion date of the eligible
29 sports arena facility and (B) is sourced under sections 77-2703.01 to
30 77-2703.04 to the program area; or

31 (b) For any eligible sports arena facility that is a sports complex,

1 one hundred percent of the state sales tax revenue that (i) is collected
2 by a nearby retailer that commenced collecting state sales tax during the
3 period of time beginning on the date that the project commenced and
4 ending forty-eight months after the project completion date of the
5 eligible sports arena facility and (ii) is sourced under sections
6 77-2703.01 to 77-2703.04 to the program area;

7 (14) ~~(13)~~ Political subdivision means any city, village, or county;

8 (15) ~~(14)~~ Program area means:

9 (a) For any eligible sports arena facility that is not a sports
10 complex:

11 (i) For applications for state assistance submitted prior to October
12 1, 2016, the area that is located within six hundred yards of an eligible
13 sports arena facility, measured from any point of the exterior perimeter
14 of the facility but not from any parking facility or other structure; or

15 (ii) For applications for state assistance submitted on or after
16 October 1, 2016, the area that is located within six hundred yards of an
17 eligible sports arena facility, measured from any point of the exterior
18 perimeter of the facility but not from any parking facility or other
19 structure, except that if twenty-five percent or more of such area is
20 unbuildable property, then the program area shall be adjusted so that:

21 (A) It avoids as much of the unbuildable property as is practical;
22 and

23 (B) It contains contiguous property with the same total amount of
24 square footage that the program area would have contained had no
25 adjustment been necessary; or

26 (b) For any eligible sports arena facility that is a sports complex,
27 the area that is located within six hundred yards of an eligible sports
28 arena facility, measured from any point of the exterior boundary or
29 property line of the facility.

30 Approval of an application for state assistance by the board
31 pursuant to section 13-3106 shall establish the program area as that area

1 depicted in the map accompanying the application for state assistance as
2 submitted pursuant to subdivision (2)(c) of section 13-3104;

3 (16) ~~(15)~~ Project completion date means:

4 (a) For projects involving the acquisition or construction of an
5 eligible sports arena facility, the date of initial occupancy of the
6 facility following the completion of such acquisition or construction; or

7 (b) For all other projects, the date of completion of the project
8 for which state assistance is received;

9 (17) ~~(16)~~ Revenue bond means any bond or refunding bond issued by a
10 political subdivision which is limited or special rather than a general
11 obligation bond of the political subdivision and which is not payable
12 from the proceeds of an ad valorem tax;

13 (18) ~~(17)~~ Sports complex means a facility that:

14 (a) Includes indoor areas, outdoor areas, or both;

15 (b) Is primarily used for competitive sports; and

16 (c) Contains at least:

17 (i) Twelve separate sports venues if such facility is located in a
18 city of the metropolitan class;

19 (ii) Six separate sports venues if such facility is located in a
20 city of the primary class; or

21 (iii) Four separate sports venues if such facility is located (A) in
22 a city of the first class, city of the second class, or village, (B)
23 within a county but outside the corporate limits of any city or village,
24 (C) in an economic redevelopment area, or (D) in an opportunity zone
25 designated pursuant to the federal Tax Cuts and Jobs Act, Public Law
26 115-97;

27 (19) ~~(18)~~ Sports venue includes, but is not limited to:

28 (a) A baseball field;

29 (b) A softball field;

30 (c) A multipurpose field;

31 (d) An outdoor stadium primarily used for competitive sports;

1 (e) An outdoor arena primarily used for competitive sports; or
2 (f) An enclosed, temperature-controlled building primarily used for
3 competitive sports. If any such building contains more than one
4 multipurpose field, court, swimming pool, or other facility primarily
5 used for competitive sports, then each such multipurpose field, court,
6 swimming pool, or facility shall count as a separate sports venue; and

7 (20) ~~(19)~~ Unbuildable property means any real property that is
8 located in a floodway, an environmentally protected area, a right-of-way,
9 or a brownfield site as defined in 42 U.S.C. 9601 that the political
10 subdivision determines is not suitable for the construction or location
11 of residential, commercial, or other buildings or facilities.

12 Sec. 7. Section 13-3103, Revised Statutes Supplement, 2021, is
13 amended to read:

14 13-3103 (1) Any applicant that has (a) acquired, constructed,
15 improved, or equipped, (b) approved a revenue bond issue or a general
16 obligation bond issue to acquire, construct, improve, or equip, or (c)
17 adopted a resolution authorizing the applicant to pursue a general
18 obligation bond issue to acquire, construct, improve, or equip an
19 eligible sports arena facility may apply to the board for state
20 assistance.

21 (2) The state assistance shall only be used to pay back amounts
22 expended or borrowed through one or more issues of bonds to be expended
23 by the applicant to acquire, construct, improve, or equip the eligible
24 sports arena facility and to acquire, construct, improve, or equip nearby
25 parking facilities.

26 (3) ~~(2)~~ For applications for state assistance approved on or after
27 October 1, 2016, no more than fifty percent of the final cost of the
28 project shall be funded by state assistance received pursuant to section
29 13-3108.

30 Sec. 8. Section 13-3104, Revised Statutes Supplement, 2021, is
31 amended to read:

1 13-3104 (1) All applications for state assistance under the Sports
2 Arena Facility Financing Assistance Act shall be in writing and shall
3 include a certified copy of the approving action of the governing body of
4 the applicant describing the proposed project for which state assistance
5 is requested and the anticipated financing.

6 (2) The application shall contain:

7 (a) A description of the proposed financing of the project,
8 including the estimated principal and interest requirements for the bonds
9 proposed to be issued in connection with the project or the amounts
10 necessary to repay the original investment by the applicant in the
11 project;

12 (b) Documentation of local financial commitment to support the
13 project, including all public and private resources pledged or committed
14 to the project and including a copy of any operating agreement or lease
15 with substantial users of the eligible sports arena facility;

16 (c) For applications submitted on or after October 1, 2016, a map
17 identifying the program area, including any unbuildable property within
18 the program area or taken into account in adjusting the program area as
19 described in subdivision ~~(14)(a)(ii)~~ (15)(a)(ii) of section 13-3102; and

20 (d) Any other project information deemed appropriate by the board.

21 (3) Upon receiving an application for state assistance, the board
22 shall review the application and notify the applicant of any additional
23 information needed for a proper evaluation of the application.

24 (4) Any state assistance received pursuant to the act shall be used
25 only for public purposes.

26 Sec. 9. Section 13-3108, Revised Statutes Supplement, 2021, is
27 amended to read:

28 13-3108 (1) The Sports Arena Facility Support Fund is created. Any
29 money in the fund available for investment shall be invested by the state
30 investment officer pursuant to the Nebraska Capital Expansion Act and the
31 Nebraska State Funds Investment Act.

1 (2)(a) Upon receiving the certification described in subsection (3)
2 of section 13-3107, the State Treasurer shall transfer the amount
3 certified to the fund.

4 (b) Upon receiving the quarterly certification described in
5 subsection (4) of section 13-3107, the State Treasurer shall transfer the
6 amount certified to the fund.

7 (3)(a) It is the intent of the Legislature to appropriate from the
8 fund money to be distributed as provided in subsections (4) and (5) of
9 this section to any political subdivision for which an application for
10 state assistance under the Sports Arena Facility Financing Assistance Act
11 has been approved an amount not to exceed seventy percent of the (i)
12 state sales tax revenue collected by retailers doing business at eligible
13 sports arena facilities on sales at such facilities, (ii) state sales tax
14 revenue collected on primary and secondary box office sales of admissions
15 to such facilities, and (iii) new state sales tax revenue collected by
16 nearby retailers and sourced under sections 77-2703.01 to 77-2703.04 to
17 the program area.

18 (b) The amount to be appropriated for distribution as state
19 assistance to a political subdivision under this subsection for any one
20 year after the tenth year shall not exceed the highest such amount
21 appropriated under subdivision (3)(a) of this section during any one year
22 of the first ten years of such appropriation. If seventy percent of the
23 state sales tax revenue as described in subdivision (3)(a) of this
24 section exceeds the amount to be appropriated under this subdivision,
25 such excess funds shall be transferred to the General Fund.

26 (4) The amount certified under subsection (3) of section 13-3107
27 shall be distributed as state assistance on or before April 15, 2014.

28 (5) Beginning in 2014, quarterly distributions and associated
29 transfers of state assistance shall be made. Such quarterly distributions
30 and transfers shall be based on the certifications provided under
31 subsection (4) of section 13-3107 and shall occur within fifteen days

1 after receipt of such certification.

2 (6) The total amount of state assistance approved for an eligible
3 sports arena facility shall not ~~neither~~ (a) exceed one hundred fifty
4 million dollars ~~nor~~ (b) ~~be paid out for more than twenty years after the~~
5 ~~issuance of the first bond for the sports arena facility.~~

6 (7) State assistance to the political subdivision shall no longer be
7 available upon the retirement of the bonds issued to acquire, construct,
8 improve, or equip the facility or any subsequent bonds that refunded the
9 original issue or when state assistance reaches the amount determined
10 under subsection (6) of this section, whichever comes first.

11 (8) State assistance shall not be used for an operating subsidy ~~or~~
12 ~~other ancillary facility.~~

13 (9) The thirty percent of state sales tax revenue remaining after
14 the appropriation and transfer in subsection (3) of this section shall be
15 appropriated by the Legislature and transferred quarterly as follows:

16 (a) If the revenue relates to an eligible sports arena facility that
17 is a sports complex and that is approved for state assistance under
18 section 13-3106 on or after May 26, 2021, eighty-three percent of such
19 revenue shall be transferred to the Support the Arts Cash Fund and
20 seventeen percent of such revenue shall be transferred to the Convention
21 Center Support Fund; and

22 (b) If the revenue relates to any other eligible sports arena
23 facility, such revenue shall be transferred to the Civic and Community
24 Center Financing Fund.

25 (10) Except as provided in subsection (11) of this section for a
26 city of the primary class, any municipality that has applied for and
27 received a grant of assistance under the Civic and Community Center
28 Financing Act shall not receive state assistance under the Sports Arena
29 Facility Financing Assistance Act for the same project for which the
30 grant was awarded under the Civic and Community Center Financing Act.

31 (11) A city of the primary class shall not be eligible to receive a

1 grant of assistance from the Civic and Community Center Financing Act if
2 the city has applied for and received a grant of assistance under the
3 Sports Arena Facility Financing Assistance Act.

4 Sec. 10. Original section 13-2706, Reissue Revised Statutes of
5 Nebraska, sections 13-2603, 13-2604, and 13-2705, Revised Statutes
6 Cumulative Supplement, 2020, and sections 13-2610, 13-3102, 13-3103,
7 13-3104, and 13-3108, Revised Statutes Supplement, 2021, are repealed.