

# **One Hundred Seventh Legislature - Second Session - 2022**

## **Introducer's Statement of Intent**

### **LB1135**

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**Chairperson: Senator Steve Lathrop**

**Committee: Judiciary**

**Date of Hearing: February 11, 2022**

The following constitutes the reasons for this bill and the purposes which are sought to be accomplished thereby:

The intent of LB1135 is to change the following provisions relating to conservation or preservation easements:

- the register of deeds would need approval from the appropriate governing body before recording a conservation or preservation easement.
- the appropriate governing body shall first receive comments from the local planning commission. This bill gives the planning commission ninety rather than sixty days to provide comments.
- if comments are not received within ninety days, the proposed acquisition shall be deemed denied by the local planning commission.
- new subsections are added to address notice of approval or denial by the appropriate governing body and a process to protest a denial of a conservation or preservation easement by the governing board.
- language modified to make it easier for a conservation easement to be released.
- the duration of an easement (conservation or preservation) may not exceed 99 years.
- within six months of the end of the easement, the landowner may extend the duration of the easement and the instrument extending the easement must first be approved by the appropriate governing body.
- if the property subject to the easement is condemned for public use, the easement shall terminate.
- conservation or preservation easement property is not exempt from property taxes.
- the Tax Equalization and Review Commission may hear and determine appeals of final decisions of the county board of equalization denying a conservation or preservation easement.

**Principal Introducer:** \_\_\_\_\_

**Senator Dave Murman**