

**ONE HUNDRED EIGHTH LEGISLATURE - SECOND SESSION - 2024**  
**COMMITTEE STATEMENT (CORRECTED)**  
**LB6**

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**Hearing Date:** Tuesday February 28, 2023  
**Committee On:** Urban Affairs  
**Introducer:** Blood  
**One Liner:** Prohibit conditional use permits and zoning exceptions for delinquent property taxpayers

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**Roll Call Vote - Final Committee Action:**  
Advanced to General File

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**Vote Results:**

<b>Aye:</b>	5	Senators McKinney, Hunt, Day, Cavanaugh, J., Blood
<b>Nay:</b>	2	Senators Hardin, Lowe
<b>Absent:</b>		
<b>Present Not Voting:</b>		

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**Testimony:**

**Proponents:**  
Senator Carol Blood

**Representing:**  
Opening Presenter

**Opponents:**  
David Levy

**Representing:**  
Nebraska Association of Commerical Property Owners

**Neutral:**  
Beth Bazyn Ferrell  
Christy Abraham

**Representing:**  
Nebraska Association of County Officials (NACO)  
League of Municipalities

\* ADA Accommodation Written Testimony

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**Summary of purpose and/or changes:**

LB 6 would prohibit any person from applying for a conditional use permit if they are more than 180 days delinquent in the payment of real property taxes. This requirement may be waived if the delinquent taxes owed are in dispute, on appeal, or the result of an administrative error.

**Background & Legislative History:**

LB 6 is a reintroduction of LB 695 (2022), also introduced by Senator Blood. LB 695 was indefinitely postponed in committee. A major change between last year's legislation and LB 6 is the wavier process, which allows the city, planning board, or city official to waive the bill's requirement if the delinquent taxes owed are in dispute, on appeal, or the result of an administrative error.

State law currently allows county planning commissions to grant conditional uses to property owners for the use of their property if the county board of commissioners has authorized the commission to exercise such powers.

The granting of a conditional use permit is finalized by the commission or county board to determine whether there is



a substantial change in the applicant's proposed use of the property and whether the applicant has met, or will meet, the special conditions or requirements.

Section-by-Section Summary:

Section 1 of the bill adds provisions to 18-2119 to allow Cities of the Metropolitan class to prohibit any person from applying for a conditional use permit if they are more than 180 days delinquent in the payment of real property taxes.

Section 2 of the bill adds provisions to 18-2119 to allow Cities of the Primary class to prohibit any person from applying for a conditional use permit if they are more than 180 days delinquent in the payment of real property taxes.

Section 3 of the bill amends 18-2119 to harmonize public notice statutes to the bill.

Section 4 of the bill amends 19-929 to allow Cities of the First Class, Cities of the Second Class, and Villages to allow cities of the metropolitan class to prohibit any person from applying for a conditional use permit if they are more than 180 days delinquent in the payment of real property taxes.

Section 5 of the bill amends 23-114.01 to harmonize provisions and to allow County Planning Commissions or County Boards to prohibit any person from applying for a conditional use permit if they are more than 180 days delinquent in the payment of real property taxes.

Section 6 of the bill assigns Section 1 of the act to Chapter 14, article 4 and (2) Section 2 of this act to Chapter 15, article 9.

Section 7 of the bill repeals the original sections.

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Terrell McKinney, Chairperson

