

AMENDMENTS TO LB 54

Introduced by Mello

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

3 Section 1. Section 18-2147, Reissue Revised Statutes of
4 Nebraska, is amended to read:

5 18-2147 (1) Any redevelopment plan as originally approved
6 or as later modified pursuant to section 18-2117~~7~~ may contain a
7 provision that any ad valorem tax levied upon real property, or any
8 portion thereof, in a redevelopment project for the benefit of any
9 public body shall be divided, for a period not to exceed fifteen
10 years after the effective date ~~of such a provision by the governing~~
11 ~~body~~, as follows: as identified in the project redevelopment
12 contract or in the resolution of the authority authorizing the
13 issuance of bonds pursuant to section 18-2124, as follows:

14 (a) That portion of the ad valorem tax which is produced
15 by the levy at the rate fixed each year by or for each such
16 public body upon the redevelopment project valuation shall be paid
17 into the funds of each such public body in the same proportion as
18 are all other taxes collected by or for the body. When there is
19 not a redevelopment project valuation on a parcel or parcels, the
20 county assessor shall determine the redevelopment project valuation
21 based upon the fair market valuation of the parcel or parcels as
22 of January 1 of the year prior to the year that the ad valorem
23 taxes are to be divided. The county assessor shall provide written

1 notice of the redevelopment project valuation to the authority as
2 defined in section 18-2103 and the owner. The authority or owner
3 may protest the valuation to the county board of equalization
4 within thirty days after the date of the valuation notice. All
5 provisions of section 77-1502 except dates for filing of a protest,
6 the period for hearing protests, and the date for mailing notice
7 of the county board of equalization's decision are applicable
8 to any protest filed pursuant to this section. The county board
9 of equalization shall decide any protest filed pursuant to this
10 section within thirty days after the filing of the protest. The
11 county clerk shall mail a copy of the decision made by the county
12 board of equalization on protests pursuant to this section to the
13 authority or owner within seven days after the board's decision.
14 Any decision of the county board of equalization may be appealed
15 to the Tax Equalization and Review Commission, in accordance with
16 section 77-5013, within thirty days after the date of the decision;

17 (b) That portion of the ad valorem tax on real property,
18 as provided in the redevelopment contract or bond resolution, in
19 the redevelopment project in excess of such amount, if any, shall
20 be allocated to and, when collected, paid into a special fund
21 of the authority to be used solely to pay the principal of, the
22 interest on, and any premiums due in connection with the bonds of,
23 loans, notes, or advances of money to, or indebtedness incurred by,
24 whether funded, refunded, assumed, or otherwise, such authority for
25 financing or refinancing, in whole or in part, the redevelopment
26 project. When such bonds, loans, notes, advances of money, or
27 indebtedness, including interest and premiums due, have been paid,

1 the authority shall so notify the county assessor and county
2 treasurer and all ad valorem taxes upon taxable real property in
3 such a redevelopment project shall be paid into the funds of the
4 respective public bodies; and

5 (c) Any interest and penalties due for delinquent taxes
6 shall be paid into the funds of each public body in the same
7 proportion as are all other taxes collected by or for the public
8 body.

9 (2) The ~~governing body shall not implement any plan~~
10 ~~containing effective date of~~ a provision dividing ad valorem taxes
11 as provided in subsection (1) of this section shall not occur until
12 such time as the real property in the redevelopment project is
13 within the corporate boundaries of the city.

14 (3) Beginning August 1, 2006, all notices of the
15 provision for dividing ad valorem taxes shall be sent by the
16 authority to the county assessor on forms prescribed by the
17 Property Tax Administrator. The notice shall be sent to the county
18 assessor on or before August 1 of the year of the effective date
19 of the provision. Failure to satisfy the notice requirement of
20 this section shall result in the taxes, for all taxable years
21 affected by the failure to give notice of the effective date of
22 the provision, remaining undivided and being paid into the funds
23 for each public body receiving property taxes generated by the
24 property in the redevelopment project. However, the redevelopment
25 project valuation for the remaining division of ad valorem taxes
26 in accordance with subdivisions (1)(a) and (b) of this section
27 shall be the last certified valuation for the taxable year prior

1 to the effective date of the provision to divide the taxes for the
2 remaining portion of the fifteen-year period pursuant to subsection
3 (1) of this section.

4 Sec. 2. Original section 18-2147, Reissue Revised
5 Statutes of Nebraska, is repealed.