

AMENDMENTS TO LB1003

Introduced by Urban Affairs.

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

3 Section 1. Section 3-502, Revised Statutes Cumulative Supplement,
4 2018, is amended to read:

5 3-502 (1) Any city may create an airport authority to be managed and
6 controlled by a board. The board, when and if appointed, shall have full
7 and exclusive jurisdiction and control over all facilities owned or
8 thereafter acquired by such city for the purpose of aviation operation,
9 air navigation, and air safety operation.

10 (2) The Cities Airport Authorities Act shall not become operative as
11 to any city unless the mayor and city council in their discretion
12 activate the airport authority by the mayor appointing and the council
13 approving the board members as provided in this section. Each such board
14 shall be a body corporate and politic, constituting a public corporation
15 and an agency of the city for which such board is established.

16 (3) Each board in cities of the primary, first, and second classes
17 and in villages shall consist of five members to be appointed by the
18 mayor with the approval of the city council to serve until their
19 successors elected pursuant to section 32-547 take office. Members of
20 such board shall be residents of the city for which such authority is
21 created. Any vacancy on such board shall be filled by appointment by the
22 mayor, with the approval of the city council, to serve the unexpired
23 portion of the term. A member of such board may be removed from office
24 for incompetence, neglect of duty, or malfeasance in office. An action
25 for the removal of such officer may be brought, upon resolution of the
26 city council, in the district court of the county in which such city is
27 located.

1 (4) Each board in cities of the metropolitan class shall consist of
2 five members who shall be nominated by the mayor and approved by the city
3 council and shall serve for terms of five years. Any vacancy on such
4 board shall be filled, not later than six months after the date of such
5 vacancy, by appointment by the mayor, with the approval of the city
6 council, and such appointee shall serve the unexpired portion of the term
7 of the member whose office was vacated. Any member of such board may be
8 removed from office by the mayor, for incompetence, neglect of duty, or
9 malfeasance in office, with the consent and approval of the city council.

10 (5) The members of the board hereby created shall not be entitled to
11 compensation for their services but shall be entitled to reimbursement of
12 expenses paid or incurred in the performance of the duties imposed upon
13 them by the Cities Airport Authorities Act, to be paid as provided in
14 section 23-1112 for county officers and employees. A majority of the
15 members of the board then in office shall constitute a quorum. The board
16 may delegate to one or more of the members, or to its officers, agents,
17 and employees, such powers and duties as it may deem proper.

18 (6) The board and its corporate existence shall continue only for a
19 period of twenty years from the date of appointment of the members
20 thereof and thereafter until all its liabilities have been met and its
21 bonds have been paid in full or such liabilities and bonds have otherwise
22 been discharged. When all liabilities incurred by the authority of every
23 kind and character have been met and all its bonds have been paid in full
24 or such liabilities and bonds have otherwise been discharged, all rights
25 and properties of the authority shall pass to and be vested in the city.
26 The authority shall have and retain full and exclusive jurisdiction and
27 control over all projects under its jurisdiction, with the right and duty
28 to charge and collect revenue therefrom, for the benefit of the holders
29 of any of its bonds or other liabilities. Upon the authority's ceasing to
30 exist, all its remaining rights and properties shall pass to and vest in
31 the city.

1 Sec. 2. Section 13-2102, Reissue Revised Statutes of Nebraska, is
2 amended to read:

3 13-2102 For purposes of the Enterprise Zone Act:

4 (1) Census shall mean the federal decennial census;

5 (2) Department shall mean the Department of Economic Development;

6 (3) Economic distress shall mean conditions of unemployment,
7 poverty, and declining population existing within the area of a proposed
8 enterprise zone considered in the stated order as an order of priority
9 from most to least significant;

10 (4) Enterprise zone or zone shall mean an area which is at least one
11 but no more than sixteen square miles in total area composed of one or
12 more discrete areas which have a combined total resident population of
13 not less than two hundred fifty persons. If it is composed of more than
14 one discrete area, each separate area must meet the eligibility criteria
15 established by this subdivision and (a) must be no more than five miles
16 from another area if the zone is located within a city of the
17 metropolitan or primary class, (b) must be located within the same county
18 if the zone is located outside of the boundaries of a city of the
19 metropolitan or primary class, or (c) must be located within the
20 boundaries of the applying political subdivisions if the application for
21 zone designation is made jointly by counties or tribal government areas
22 pursuant to subsection (4) of section 13-2103. No area or portion of an
23 area located in a city of the metropolitan or primary class shall include
24 any portion of a central business district. For purposes of this
25 subdivision, central business district shall mean an area comprised of a
26 high concentration of office, service, financial, lodging, entertainment,
27 and retail businesses and government facilities and possessing a high
28 traffic flow or an area composed of one or more complete federal census
29 tracts defined as a central business district by the United States Bureau
30 of the Census.

31 To qualify as an enterprise zone under this subdivision (4), such

1 area must meet at least two of the following three criteria as measured
2 by data from the United States Bureau of the Census:

3 (i) Population in the area or within a reasonable proximity to the
4 area has decreased by at least ten percent between the date of the most
5 recent census and the date of the immediately preceding census;

6 (ii) The average rate of unemployment in the area or within a
7 reasonable proximity to the area is at least two hundred percent of the
8 average rate of unemployment in the state during the same period covered
9 by the most recent census or American Community Survey 5-Year Estimate;
10 or

11 (iii) The average poverty rate in the area exceeds twenty percent
12 for the total federal census tract or tracts or federal census block
13 group or block groups in the area or within a reasonable proximity to the
14 area when the area is located within the legal boundaries of a city of
15 the metropolitan or primary class or the average poverty rate in the area
16 exceeds twenty percent for the total federal census tract or tracts or
17 federal census block group or block groups which encompass the legal
18 boundaries of a city of the first class, city of the second class,
19 village, or tribal government area when the area is located in such
20 political subdivision.

21 For purposes of this subdivision (4), reasonable proximity shall
22 refer to the federal census tracts or federal census block groups which
23 either in whole or in part are within the boundaries of any portion of
24 the proposed zone;

25 (5) Political subdivision shall mean any incorporated village, city,
26 county, or tribal government area; and

27 (6) Tribal government area shall mean (a) that portion of Knox
28 County under the jurisdiction of the Santee Sioux Tribe, (b) that portion
29 of Thurston County under the jurisdiction of the Omaha Tribe, and (c)
30 that portion of Thurston County under the jurisdiction of the Winnebago
31 Tribe.

1 Sec. 3. Section 13-2705, Revised Statutes Supplement, 2019, is
2 amended to read:

3 13-2705 The department may conditionally approve grants of
4 assistance from the fund to eligible and competitive applicants subject
5 to the following limits and requirements:

6 (1) Except as provided in subdivision (2) of this section, a grant
7 request shall be in an amount meeting the following requirements:

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

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

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

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

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

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

31 (b) For a grant of assistance under section 13-2704.02, at least

1 three thousand dollars but no more than fifteen thousand dollars;

2 (2) Upon the balance of the fund reaching three million seven
3 hundred fifty thousand dollars, and until the balance of the fund falls
4 below one million five hundred thousand dollars, a grant request shall be
5 in an amount meeting the following requirements:

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

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

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

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

20 (iv) For a city with a population of at least ten thousand
21 inhabitants but fewer than twenty thousand inhabitants as determined by
22 the most recent federal decennial census or the most recent revised
23 certified count by the United States Bureau of the Census, nine hundred
24 thousand dollars; and

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

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

31 (3) Assistance from the fund shall not amount to more than fifty

1 percent of the cost of the project for which a grant is requested;

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

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

8 (6) An application for a grant of assistance to assist in the
9 preservation, restoration, conversion, rehabilitation, or reuse of a
10 historic building or district shall include a notification of approval
11 from the State Historic Preservation Officer that the work proposed in
12 the application conforms to the United States Secretary of the Interior's
13 Standards for the Treatment of Historic Properties. If the application
14 does not include such notification of approval from the State Historic
15 Preservation Officer, the department shall not award a grant of
16 assistance for such application. Upon receipt of any application for a
17 grant of assistance to assist in the preservation, restoration,
18 conversion, rehabilitation, or reuse of a historic building or district,
19 the department shall notify the State Historic Preservation Officer of
20 such application. The State Historic Preservation Officer shall evaluate
21 the work proposed in such application to determine whether it conforms to
22 the United States Secretary of the Interior's Standards for the Treatment
23 of Historic Properties and shall notify the department of the
24 determination. If the work does not conform to such standards, the
25 department shall not award a grant of assistance for such application.

26 Sec. 4. Section 14-1813, Reissue Revised Statutes of Nebraska, is
27 amended to read:

28 14-1813 (1) Except as provided in subsection (2) of this section,
29 whenever any city of the metropolitan class creates an authority, the
30 board shall consist of five members to be selected as follows: (a) The
31 mayor, with the approval of the city council and the county board of the

1 county in which the city is located, shall appoint one member who shall
2 serve for one year, one member who shall serve for two years, one member
3 who shall serve for three years, one member who shall serve for four
4 years, and one member who shall serve for five years; and (b) upon the
5 expiration of the term of each appointed officer, the mayor, with the
6 approval of the city council and the county board of the county in which
7 the city is located, shall appoint a member who shall serve for a term of
8 five years. Members of such board shall be residents of the transit
9 authority territory described in section 14-1803 and one member of the
10 board shall be nominated and selected as provided in subsection (2) of
11 this section. In cities of the metropolitan class where a board has been
12 heretofore appointed, the mayor, with the approval of the city council
13 and the county board of the county in which the city is located, shall by
14 resolution redesignate the terms of the members of such board in
15 accordance with the provisions of sections 14-1803, 14-1805, 14-1812, and
16 14-1813, except that until such redesignation is made the terms shall
17 stand as provided for in the original appointment.

18 (2) Notwithstanding any provisions of the city charter of the city
19 of the metropolitan class to the contrary, when the next vacancy will
20 occur on the board after August 31, 2003, resulting from the expiration
21 of the term of office of a member of the board, notice of such vacancy
22 shall be communicated to the clerk of each county, city, or village which
23 is part of the transit authority territory. Such notice shall be provided
24 at least forty-five days prior to the expiration of the term of office of
25 the member. Each county, city, and village, other than the city of the
26 metropolitan class, may, by majority vote of their governing bodies,
27 recommend the appointment of one or more residents of their respective
28 jurisdictions to fill the board position. Such nominations shall be filed
29 with the mayor of the city of the metropolitan class not later than the
30 thirtieth day following the date of receipt of notice of the vacancy. The
31 mayor shall make the appointment to fill the board position from such

1 nominations. The individual appointed by the mayor, upon approval by the
2 city council of the city of the metropolitan class, shall become a member
3 of the board. Thereafter, any successor to such board member, either by
4 reason of vacancy or the expiration of such board member's term, shall
5 possess the residence qualifications provided for in this subsection, and
6 such board position shall be filled in the manner provided for in this
7 subsection.

8 (3) Except as provided in subsection (2) of this section, any
9 vacancy on such board, resulting other than from expiration of a term of
10 office, shall be filled, not later than six months after the date of such
11 vacancy, by the mayor of the city of the metropolitan class, with the
12 approval of the city council and the county board of the county in which
13 the city is located, and such appointee shall possess the same residence
14 qualifications as the member whose office he or she is to fill and shall
15 serve the unexpired portion, if any, of the term of the member whose
16 office was vacated.

17 (4) Each member, before entering upon the duties of the office,
18 shall file with the city clerk of the city of the metropolitan class an
19 oath that he or she will duly and faithfully perform all the duties of
20 the office to the best of his or her ability, and a bond in the penal sum
21 of five thousand dollars executed by one or more qualified sureties for
22 the faithful performance of his or her duties. If any member shall fail
23 to file such oath and bond on or before the first day of the term for
24 which he or she was appointed or elected, his or her office shall be
25 deemed to be vacant.

26 (5) A member of such board may be removed from office for
27 incompetence, neglect of duty, or malfeasance in office. An action for
28 the removal of such officer may be brought, upon resolution of the city
29 council of the city of the metropolitan class or the county board of the
30 county in which the city is located, in the district court of the county
31 in which such city is located.

1 Sec. 5. Section 15-102, Revised Statutes Cumulative Supplement,
2 2018, is amended to read:

3 15-102 Whenever any city of the first class attains ~~shall attain~~ a
4 population of more than one hundred thousand inhabitants as determined by
5 the most recent federal decennial census or the most recent revised
6 certified count by the United States Bureau of the Census, the mayor of
7 such city shall certify such fact to the Secretary of State, who upon the
8 filing of such certificate shall by proclamation declare such city to be
9 a city of the primary class.

10 Sec. 6. Section 15-103, Reissue Revised Statutes of Nebraska, is
11 amended to read:

12 15-103 The government of a city of the first class which is declared
13 to be a city of the primary class pursuant to section 15-102 ~~such city~~
14 shall continue in authority from the date of such declaration
15 ~~proclamation~~ until reorganization as a city of the primary class.

16 Sec. 7. Section 15-104, Reissue Revised Statutes of Nebraska, is
17 amended to read:

18 15-104 The corporate limits of a city of the first class which is
19 declared to be a city of the primary class pursuant to section 15-102
20 ~~such city~~ shall remain as before such declaration. ~~The and the~~ city
21 council may by ordinance at any time include within the corporate limits
22 of such city any contiguous or adjacent lands, lots, tracts, streets, or
23 highways such distance and in such direction as may be deemed proper. The
24 city council ~~, and~~ may include, annex, merge, or consolidate with such
25 city, by such extension of its corporate limits, any village which is
26 within the extraterritorial zoning jurisdiction limits of such city, and
27 which it serves with water service or supply or with a sanitary sewerage
28 system and service, or both such water and sanitary sewerage service.
29 Such city shall have power by ordinance to compel owners of land so
30 brought within the corporate limits to lay out streets and public ways to
31 conform to and be continuous with the streets and ways of such city, or

1 otherwise as appears best for the convenience of the inhabitants of such
2 city and the public. Such city ~~It~~ may vacate any public road established
3 through such land when necessary to secure regularity in the general
4 system of its public ways.

5 Sec. 8. Section 15-105, Reissue Revised Statutes of Nebraska, is
6 amended to read:

7 15-105 For purposes of sections 15-104 to 15-106.02, land ~~land~~
8 shall be deemed contiguous although a stream, embankments, or a strip or
9 parcel of land, not more than five hundred feet wide, lies between such
10 land and the corporate limits.

11 Sec. 9. Section 15-106, Reissue Revised Statutes of Nebraska, is
12 amended to read:

13 15-106 (1) ~~The owner proprietor~~ of any land within the corporate
14 limits of a city of the primary class or contiguous thereto may lay out
15 such land into lots, blocks, public ways, and other grounds under the
16 name of addition to the city of and
17 shall cause an accurate plat thereof to be made, designating explicitly
18 the land so laid out and particularly describing the lots, blocks, public
19 ways, and grounds belonging to such addition. The lots shall be
20 designated by number and by street. Public ways and other grounds shall
21 be designated by name and by number. Such plat shall be acknowledged
22 before some officer authorized to take acknowledgment of deeds and shall
23 have appended to it a certificate made by a registered land surveyor that
24 he or she has accurately surveyed such addition and that the lots,
25 blocks, public ways, and other grounds are staked and marked as required
26 by such city.

27 (2) When such plat is made, acknowledged, and certified, complies
28 with the requirements of section 15-901, and is approved by the city
29 planning commission, such plat shall be filed and recorded in the office
30 of the register of deeds and county assessor of the county in which the
31 land is located. In lieu of approval by the city planning commission, the

1 city council may designate specific types of plats which may be approved
2 by the city planning director. No plat shall be recorded in the office of
3 the register of deeds or have any force or effect unless such plat is
4 approved by the city planning commission or the city planning director.
5 The plat shall, after being filed with the register of deeds, be
6 equivalent to a deed in fee simple absolute to the city, from the owner
7 ~~proprietor~~, of all streets, all public ways, squares, parks, and commons,
8 and such portion of the land as is therein set apart for public use or
9 dedicated to charitable, religious, or educational purposes.

10 (3) All additions thus laid out shall remain a part of the city, and
11 all additions, except those additions as set forth in sections 15-106.01
12 and 15-106.02, laid out adjoining or contiguous to the corporate limits
13 of a city of the primary class shall be included therein and become a
14 part of the city for all purposes. The inhabitants of such addition shall
15 be entitled to all the rights and privileges and subject to all the laws,
16 ordinances, rules, and regulations of the city. The mayor and city
17 council shall have power by ordinance to compel owners of any such
18 addition to lay out streets and public ways to correspond in width and
19 direction and to be continuous with the streets and public ways in the
20 city or additions contiguous to or near the proposed addition.

21 (4) No addition shall have any validity, right, or privilege as an
22 addition unless the terms and conditions of such ordinance and of this
23 section are complied with, the plats thereof are submitted to and
24 approved by the city planning commission or the city planning director,
25 and the approval of the city planning commission or the city planning
26 director is endorsed thereon. The city council may provide procedures in
27 land subdivision regulations for appeal by any person aggrieved by any
28 action of the city planning commission or city planning director on any
29 plat.

30 Sec. 10. Section 15-106.01, Reissue Revised Statutes of Nebraska, is
31 amended to read:

1 15-106.01 Commencing on April 17, 1982, an addition which has been
2 approved pursuant to section 15-106 and is adjoining or contiguous to the
3 corporate boundaries of a the city of the primary class but which
4 includes land which lies wholly or partially (1) outside of the area
5 designated and described as being for future urban uses in the
6 comprehensive plan adopted by the city pursuant to sections 15-1102 and
7 15-1103 and (2) within a zoning district adopted pursuant to section
8 15-902 which allows a residential density of not more than one dwelling
9 per acre shall be included within the corporate limits of the city only
10 upon the enactment of a city ordinance specifically annexing such
11 addition.

12 Sec. 11. Section 15-106.02, Reissue Revised Statutes of Nebraska, is
13 amended to read:

14 15-106.02 Commencing on April 17, 1982, an addition which has been
15 approved pursuant to section 15-106 and is adjoining or contiguous to the
16 corporate boundaries of a the city of the primary class, but which (1)
17 includes land which lies wholly or partially within the area designated
18 as being for future urban uses in the comprehensive plan adopted by the
19 city pursuant to sections 15-1102 and 15-1103 and (2) is set aside in
20 such comprehensive plan as an agricultural-industrial reserve shall be
21 included within the corporate limits of the city only upon the enactment
22 of a city ordinance specifically annexing such addition.

23 Sec. 12. Section 15-108, Reissue Revised Statutes of Nebraska, is
24 amended to read:

25 15-108 When any city of the first class is declared ~~shall be~~
26 ~~incorporated~~ as a city of the primary class pursuant to section 15-102,
27 all ~~its~~ trusts, rights, and privileges of such city of the first class
28 shall be transmitted to and be invested in such city of the primary class
29 ~~latter corporation~~.

30 Sec. 13. Section 15-110, Reissue Revised Statutes of Nebraska, is
31 amended to read:

1 15-110 Precinct lines ~~in that part of the county not under township~~
2 ~~organization~~ within the corporate limits of a city of the primary class
3 shall correspond in number with the ward and be coextensive with such
4 limits, except that therewith; ~~Provided,~~ when a ward is divided into
5 election districts, the precinct corresponding with such ward shall be
6 divided to correspond with the election district.

7 Sec. 14. Section 15-111, Reissue Revised Statutes of Nebraska, is
8 amended to read:

9 15-111 A city of the second class or village, which adjoins a city
10 of the primary class, as well as other villages either adjoining such
11 city of the second class or village ~~villages~~, or supplied in whole or in
12 part with gas, electric light, or street transportation service or supply
13 from manufacturing or power plants and systems mainly located in and
14 maintained and operated mainly from chief headquarters or offices within
15 such city of the primary class, may be consolidated with such city of the
16 primary class in the manner provided in sections 15-111 to 15-118
17 ~~hereinafter set out~~. It shall be the duty of the officers of such cities
18 of the second class and villages twenty days prior to any general city or
19 village election, to submit to the electors of such cities or villages
20 ~~thereof~~ at such general city or village election whenever petitioned to
21 do so by twenty percent of the qualified electors of such cities or
22 villages ~~thereof~~, the question of the consolidation of such adjoining
23 cities or villages with the city of the primary class. Such question
24 shall be submitted in substantially the following form:

25 Shall the city of be consolidated with the city
26 of ? Or, as the case may be, Shall the village of
27 be consolidated with the city of ? The ballot shall provide in
28 the usual manner for a Yes and No vote on the question.

29 Sec. 15. Section 15-112, Reissue Revised Statutes of Nebraska, is
30 amended to read:

31 15-112 If at an such election held pursuant to section 15-111 a

1 majority of the vote cast in a city of the second class or village such
2 ~~municipality~~ shall be in favor of such consolidation, the result shall be
3 certified to the city council of the city of the primary class. If the
4 city council of such city of the primary class approves of the
5 consolidation, an ordinance shall be passed extending the limits of such
6 city to include all the territory of the city of the second class or
7 village voting for consolidation, and the city or cities, village or
8 villages, so consolidated with the city of the primary class shall become
9 a part thereof.

10 Sec. 16. Section 15-113, Reissue Revised Statutes of Nebraska, is
11 amended to read:

12 15-113 Whenever any city of the primary class shall extend its
13 boundaries so as to annex any village, or whenever there is consolidation
14 taking effect in the manner ~~herein~~ provided in sections 15-111 to 15-118,
15 the charter, laws, ordinances, powers, and government of such city of the
16 primary class, shall at once extend over the territory embraced within
17 any such city or village so annexed or consolidated with it. Such ; ~~and~~
18 ~~such~~ city of the primary class shall succeed to all the property and
19 property rights of every kind, contracts, obligations, and choses in
20 action of every kind held by or belonging to such ~~the~~ city or village so
21 annexed or consolidated with it. Such city of the primary class ; ~~and it~~
22 shall be liable for and assume and carry out all valid contracts,
23 obligations, franchises, and licenses of any such city or village so
24 annexed or consolidated with it. Such city or village so annexed or
25 consolidated with such city of the primary class shall be deemed fully
26 compensated by virtue of such annexation or consolidation and such ~~the~~
27 ~~said~~ assumption of its obligations and contracts for all its property and
28 property rights of every kind so acquired. Any public franchise granted
29 to or held by any person or corporation from such city of the primary
30 class, before such consolidation or annexation, shall not by virtue of
31 such consolidation or annexation be extended into, upon, or over the

1 streets or public places of such the city or village so consolidated with
2 or annexed by such city of the primary class. Any public franchise,
3 license, or privilege granted to or held by any person or corporation
4 from any of the cities or villages consolidated with or annexed by such
5 city of the primary class before such consolidation or annexation shall
6 not by virtue of such consolidation be extended into, upon, or over the
7 streets, alleys, or public places of the city of the primary class
8 involved in such consolidation or annexation.

9 Sec. 17. Section 15-115, Reissue Revised Statutes of Nebraska, is
10 amended to read:

11 15-115 All taxes, assessments, fines, licenses, fees, claims, and
12 demands of every kind assessed or levied against persons or property
13 within any ~~such~~ city of the second class or village ~~thus~~ consolidated
14 with or annexed by any ~~such~~ city of the primary class as provided in
15 sections 15-111 to 15-118, shall be paid to and collected by such city of
16 the primary class.

17 Sec. 18. Section 15-116, Reissue Revised Statutes of Nebraska, is
18 amended to read:

19 15-116 All taxes and special assessments which a ~~such~~ city of the
20 second class or village ~~so~~ consolidated with or annexed by a city of the
21 primary class as provided in sections 15-111 to 15-118 was authorized to
22 levy or assess and which are not levied or assessed at the time of such
23 consolidation or annexation for any kind of public improvements made by
24 it or in process of construction or contracted for, may be levied or
25 assessed by such city of the primary class ~~as consolidated or annexed~~,
26 and such city of the primary class shall have the power to reassess all
27 special assessments or taxes levied or assessed by any such city of the
28 second class or village thus consolidated or annexed with it, in all
29 cases where such city of the second class or village is authorized to
30 make reassessments or relieves of such taxes and assessments.

31 Sec. 19. Section 15-117, Reissue Revised Statutes of Nebraska, is

1 amended to read:

2 15-117 All actions at law or in equity pending in any court in favor
3 of or against any city of the second class or village ~~thus~~ consolidated
4 with or annexed by a such city of the primary class as provided in
5 sections 15-111 to 15-118 at the time such consolidation or annexation
6 takes effect, shall be prosecuted by or defended by such city of the
7 primary class ~~as the case may be~~, and all rights of action existing
8 against any city of the second class or village consolidated with or
9 annexed by such city of the primary class at the time of such
10 consolidation or annexation or accruing thereafter on account of any
11 transaction had with or under any law or ordinance of such city of the
12 second class or village, may be prosecuted against such city of the
13 primary class ~~as consolidated~~.

14 Sec. 20. Section 15-118, Reissue Revised Statutes of Nebraska, is
15 amended to read:

16 15-118 All officers of any city of the second class or village so
17 consolidated with or annexed by a such city of the primary class as
18 provided in sections 15-111 to 15-118 having books, papers, records,
19 bonds, funds, effects, or property of any kind in their hands or under
20 their control belonging to ~~any~~ such city of the second class or village,
21 shall upon taking effect of such consolidation or annexation deliver the
22 same to the respective officers of such city of the primary class as may
23 be by law or ordinance or limitation of such city entitled or authorized
24 to receive the same. Upon such consolidation or annexation taking effect,
25 the terms and tenure of all offices and officers of any such city of the
26 second class or village so consolidated with or annexed by such city of
27 the primary class shall terminate ~~and entirely cease~~.

28 Sec. 21. Section 15-201, Reissue Revised Statutes of Nebraska, is
29 amended to read:

30 15-201 Cities of the primary class shall be bodies corporate and
31 politic and shall have power:

1 (1) To sue and be sued;

2 (2) To purchase, lease, or otherwise acquire as authorized by their
3 home rule charters or state statutes real estate or personal property
4 within or without the limits of the city for its use for a public
5 purpose;

6 (3) To purchase real or personal property upon sale for general or
7 special taxes or assessments and to lease, sell, convey, or exchange such
8 property so purchased;

9 (4) To sell, convey, exchange, or lease real or personal property
10 owned by the city in such manner and upon such terms and conditions as
11 shall be deemed in the best interests of the city as authorized by its
12 home rule charter, except that real estate owned by the city may be
13 conveyed without consideration to the State of Nebraska for state armory
14 sites or, if acquired for state armory sites, shall be conveyed in the
15 manner strictly as provided in sections 18-1001 to 18-1006;

16 (5) To make contracts and do all acts relative to the property and
17 concerns of the city necessary or incident or appropriate to the exercise
18 of its corporate powers, including powers granted by the Constitution of
19 Nebraska or exercised by or pursuant to a home rule charter adopted
20 pursuant thereto and including the power to execute such bonds and
21 obligations on the part of the city as may be required in judicial
22 proceedings;

23 (6) To purchase, construct, and otherwise acquire, own, maintain,
24 and operate public service and public utility property and facilities
25 within and without the limits of the city and to redeem such property
26 from prior encumbrance in order to protect or preserve the interest of
27 the city therein and to exercise such other and further powers as may be
28 necessary or incident or appropriate to the powers of such city,
29 including powers granted by the Constitution of Nebraska or exercised by
30 or pursuant to a home rule charter adopted pursuant thereto. If the
31 public service or public utility property or facility is located outside

1 the limits of the city but within the zoning jurisdiction of another
2 political subdivision, the city and the other political subdivision may
3 by interlocal agreement provide or exchange services, including utility
4 services, relating to the property or facilities;

5 (7) To receive grants, devises, donations, and bequests of money or
6 property for public purposes in trust or otherwise; and

7 (8) To provide for the planting, maintenance, protection, and
8 removal of shade, ornamental, and other useful trees upon the streets or
9 boulevards; to assess the cost thereof, when appropriate, as a special
10 assessment against the property specially benefited to the extent of
11 benefits received; and to provide by general ordinance for the manner in
12 which such benefits are to be measured and the assessments calculated and
13 the means of notice to the owners of the record title of the property
14 proposed to be improved, including a written statement of the proposed
15 benefits and an estimate of the costs to be assessed according to the
16 method of assessment. The city may create districts by ordinance which
17 shall designate the property within the district to be benefited and the
18 method of assessment. Notwithstanding the provisions of any city charter
19 and except as provided below, no such improvement shall be finally
20 ordered by the city council until a petition, signed by the owners of the
21 record title of property within the proposed district which would be
22 subject to more than fifty percent of the total of all special
23 assessments to be levied for the purposes authorized by this subdivision,
24 is presented and filed with the city clerk petitioning therefor. The
25 sufficiency of the petitions and objections so presented and the
26 sufficiency of notice as provided in this subdivision shall be determined
27 by the city council and its determination thereof shall be conclusive in
28 the absence of objections made and presented to the city council prior to
29 the letting of the contract for the improvement. If an assessment
30 district is proposed without a prior authorizing petition as described in
31 this subdivision, the owners of the record title of property within the

1 proposed district which would be subject to more than fifty percent of
2 the total of all special assessments to be levied for the purposes
3 authorized by this subdivision may, by petition, stop formation of such
4 district. Such written protest shall be submitted to the city council or
5 city clerk within thirty calendar days after publication of notice
6 concerning the ordinance in a legal newspaper in or of general
7 circulation in the city.

8 The powers shall be exercised by the mayor and city council ~~of the~~
9 ~~city~~ except in cases otherwise specified by law. The mayor and city
10 council shall adopt a corporate seal for the use of any officer, board,
11 or agent of the city whose duties require an official seal.

12 Sec. 22. Section 15-201.01, Reissue Revised Statutes of Nebraska, is
13 amended to read:

14 15-201.01 Any extraterritorial zoning jurisdiction or authority
15 which a city of the primary class may exercise outside of its corporate
16 limits by authority of state law may be exercised by such city outside of
17 the county in which such city ~~it~~ is located.

18 Sec. 23. Section 15-202, Revised Statutes Cumulative Supplement,
19 2018, is amended to read:

20 15-202 A city of the primary class shall have the power to levy
21 taxes for general revenue purposes on all property within the corporate
22 limits of the city taxable according to the laws of Nebraska and to levy
23 an occupation tax on public service property or corporations in such
24 amounts as may be proper and necessary, in the judgment of the mayor and
25 city council, for purposes of revenue. All such taxes shall be uniform
26 with respect to the class upon which they are imposed. The occupation tax
27 may be based upon a certain percentage of the gross receipts of such
28 public service corporation or upon such other basis as may be determined
29 upon by the mayor and city council. After March 27, 2014, any occupation
30 tax imposed pursuant to this section shall make a reasonable
31 classification of businesses, users of space, or kinds of transactions

1 for purposes of imposing such tax, except that no occupation tax shall be
2 imposed on any transaction which is subject to tax under section 53-160,
3 66-489, 66-489.02, 66-4,140, 66-4,145, 66-4,146, 77-2602, or 77-4008 or
4 which is exempt from tax under section 77-2704.24. The occupation tax
5 shall be imposed in the manner provided in section 18-1208, except that
6 section 18-1208 does not apply to an occupation tax subject to section
7 86-704.

8 Sec. 24. Section 15-204, Reissue Revised Statutes of Nebraska, is
9 amended to read:

10 15-204 A city of the primary class city shall have the power to levy
11 any other tax or special assessment authorized by law, and to appropriate
12 money and provide for the payment of the debts and expenses of the city.

13 Sec. 25. Section 15-205, Reissue Revised Statutes of Nebraska, is
14 amended to read:

15 15-205 A city of the primary class city shall have the power to (1)
16 remove all obstructions from the sidewalk, curbstones, gutters, and
17 crosswalks at the expense of the owners or occupants of the grounds
18 fronting thereon, or at the expense of the person placing such
19 obstructions ~~the same~~ there; and (2) ~~to~~ regulate the building of
20 bulkheads, cellars, basements and ~~basement ways~~, stairways, railways,
21 windows, ~~window~~ and doorways, awnings, ~~hitching posts and rails~~,
22 lampposts, awning posts, and all other structures upon or over adjoining
23 excavations through or under the sidewalks of the city.

24 Sec. 26. Section 15-207, Reissue Revised Statutes of Nebraska, is
25 amended to read:

26 15-207 A city of the primary class city shall have the power, by
27 ordinance, to regulate the transportation of articles through the
28 streets, to prevent injuries to the streets from overloaded vehicles, and
29 to provide for a vehicle license or tax.

30 Sec. 27. Section 15-208, Reissue Revised Statutes of Nebraska, is
31 amended to read:

1 15-208 A city of the primary class city shall have the power to (1)
2 prevent and remove all encroachments on streets, avenues, alleys, and
3 other city property, ~~(2) ÷ prevent and punish horseracing, fast driving~~
4 ~~or riding in the streets, highways, alleys, bridges, or other places in~~
5 ~~the city, (3) regulate and all games, practices, or amusements within the~~
6 ~~city therein likely to result in damage to any person or property, (4) ÷~~
7 ~~to regulate the riding, driving, or passing along any street of the city,~~
8 ~~(5) and to regulate, prevent and punish the riding, driving or passing of~~
9 ~~horses, mules, oxen, cattle or teams, or any vehicle drawn thereby over,~~
10 ~~upon or across sidewalks; to regulate and prevent the use of streets,~~
11 ~~sidewalks, and public grounds for signs, signposts, awnings, telegraph,~~
12 ~~telephone or other poles, racks, bulletin boards, and the posting of~~
13 ~~handbills and advertisements, (6) ÷ to regulate traffic and sales upon~~
14 ~~the streets, (7) ÷ to prohibit and punish cruelty to animals, and (8) ÷~~
15 ~~to regulate and prevent the moving of buildings through or upon the~~
16 streets.

17 Sec. 28. Section 15-209, Reissue Revised Statutes of Nebraska, is
18 amended to read:

19 15-209 A ~~primary~~ city of the primary class shall have the power, by
20 ordinance, to regulate levees, depots, depot grounds, and places for
21 storing freight and goods, and to provide for and regulate the passing of
22 railways through the streets and public grounds of the city, reserving
23 the rights of all persons injured thereby.

24 Sec. 29. Section 15-210, Reissue Revised Statutes of Nebraska, is
25 amended to read:

26 15-210 A ~~primary~~ city of the primary class shall have the power to
27 (1) acquire, hold, and improve public grounds, parks, playgrounds,
28 swimming pools, recreation centers, or any other park or recreational use
29 or facility within or without the limits of the city, ~~(2) to provide for~~
30 the protection and preservation and use of such grounds, parks, and other
31 uses and facilities, ~~(3) to provide for the planting and protection of~~

1 trees, ~~(4) to~~ erect and construct or aid in the erection and construction
2 of statues, memorials, works of art, and other structures upon any public
3 grounds of the city or state or political subdivision thereof, and ~~(5) to~~
4 receive grants, devises, donations, and bequests of money or property for
5 the ~~above~~ purposes described in this section, in trust or otherwise.

6 Sec. 30. Section 15-211, Revised Statutes Cumulative Supplement,
7 2018, is amended to read:

8 15-211 A city of the primary class may, by ordinance, require any
9 and all lots or pieces of ground within the city or within its
10 extraterritorial ~~three-mile~~ zoning jurisdiction to be drained or filled
11 so as to prevent stagnant water or any other nuisance accumulating
12 thereon. Upon the failure of the owners of such lots or pieces of ground
13 to fill or drain the lots or pieces when so required, the city council
14 may cause such lots or pieces of ground to be drained or filled, and the
15 cost and expenses thereof shall be levied upon the property so filled or
16 drained and collected as a special assessment.

17 Sec. 31. Section 15-212, Reissue Revised Statutes of Nebraska, is
18 amended to read:

19 15-212 A ~~primary~~ city of the primary class shall have the power, by
20 ordinance, to ~~prevent forestalling, prohibit or regulate huckstering,~~
21 prescribe the kind and description of articles which may be sold and
22 places to be occupied by vendors, and may authorize the immediate seizure
23 and arrest or removal from the markets of persons violating regulations
24 fixed by ordinance, ~~;~~ together with any articles of produce in their
25 possession, and the immediate seizure and destruction of tainted or
26 unsound meat or other provisions. Nothing in this section ~~herein~~ shall be
27 construed to authorize the city council by ordinance to assess or impose
28 any tax, assessment, fine, or punishment on any farmer or producer for
29 selling at any time within the city any article of provision or
30 vegetables grown or produced by the farmer or producer ~~him~~.

31 Sec. 32. Section 15-215, Reissue Revised Statutes of Nebraska, is

1 amended to read:

2 15-215 A ~~primary~~ city of the primary class shall have the power to
3 regulate, license, or suppress halls, opera houses, churches, places of
4 amusement, entertainment, or instruction, or other buildings used for the
5 assembly of citizens. A city of the primary class ~~It~~ may cause such
6 buildings ~~them~~ to be provided with sufficient and ample means of exit and
7 entrance, and to be supplied with necessary and appropriate appliances
8 for the extinguishment of fires and for escape from such places in case
9 of fire. A city of the primary class ~~It~~ may prevent overcrowding and
10 regulate the placing of seats, chairs, benches, scenery, curtains,
11 blinds, screens, or other appliances in such buildings ~~therein~~. A city of
12 the primary class ~~It~~ may provide that for any violation of any such
13 regulation a penalty of not to exceed two hundred dollars shall be
14 imposed, and that upon the conviction of any violation of any ordinance
15 regulating such places, the license of such place shall be revoked by the
16 mayor and city council. Whenever the mayor or city council shall by
17 resolution declare any such place to be unsafe, the license thereof shall
18 be thereby revoked, and the city council may provide that in any case
19 where they have so revoked the license, any owner, proprietor, manager,
20 lessee, or person, opening, using, or permitting such place to be opened
21 or used, involving the assembling of more than twelve persons, shall upon
22 conviction thereof be deemed guilty of a misdemeanor and fined in any sum
23 not exceeding two hundred dollars.

24 Sec. 33. Section 15-216, Reissue Revised Statutes of Nebraska, is
25 amended to read:

26 15-216 A ~~primary~~ city of the primary class shall have the power, by
27 ordinance, to prescribe the thickness, strength, and manner of
28 constructing stone, brick, and other buildings, and the number and
29 construction of means of exit and entrance, and of fire escapes. A city
30 of the primary class ~~It~~ may require the keeper and proprietor of any
31 hotel, boarding house, or dormitory to provide and maintain such kind and

1 number of ladders, ropes, balconies, and stairways, and other appliances,
2 as by ordinance may be prescribed to facilitate the escape of persons
3 from any such building in case of fire.

4 Sec. 34. Section 15-217, Reissue Revised Statutes of Nebraska, is
5 amended to read:

6 15-217 A city of the primary class shall have the power to regulate,
7 license, or prohibit the sale of domestic animals, goods, wares, and
8 merchandise at public auction in the streets, alleys, highways, or any
9 public grounds within the city, and to regulate or license the
10 auctioneering of goods, wares, and merchandise. ~~If the applicant is an~~
11 ~~individual, an application for a license shall include the applicant's~~
12 ~~social security number.~~

13 Sec. 35. Section 15-218, Reissue Revised Statutes of Nebraska, is
14 amended to read:

15 15-218 A ~~primary~~ city of the primary class shall have the power, by
16 ordinance, to regulate or prohibit the running at large of cattle, hogs,
17 horses, mules, sheep, goats, dogs, and other animals and to cause such
18 animals ~~as may be~~ running at large to be impounded and sold to discharge
19 the cost and penalties provided for violation of such prohibitions, and
20 the fees and expenses of impounding and keeping such animals ~~the same~~ and
21 of such sale.

22 Sec. 36. Section 15-219, Reissue Revised Statutes of Nebraska, is
23 amended to read:

24 15-219 A ~~primary~~ city of the primary class shall have the power to
25 provide for the erection of all needful pens, pounds, and buildings for
26 the use of the city, within or without such city limits, to appoint and
27 compensate keepers thereof, and to establish and enforce rules governing
28 such pens, pounds, and buildings ~~the same~~.

29 Sec. 37. Section 15-220, Reissue Revised Statutes of Nebraska, is
30 amended to read:

31 15-220 A ~~primary~~ city of the primary class shall have the power to

1 regulate, license, or prohibit the running at large of dogs and other
2 animals and guard against injuries or annoyances from such animals
3 ~~therefrom~~, and to authorize the destruction of such animals ~~the same~~ when
4 running at large contrary to the provisions of any ordinance. Any
5 licensing provision shall comply with subsection (2) of section 54-603
6 for service animals.

7 Sec. 38. Section 15-221, Reissue Revised Statutes of Nebraska, is
8 amended to read:

9 15-221 A ~~primary~~ city of the primary class shall have the power, by
10 ordinance, to prevent any person from bringing, having, depositing, or
11 leaving upon or near his or her premises or elsewhere within the city any
12 dead carcass, or other putrid beef, pork, fish, hides, or skins of any
13 kind, or any other unwholesome substance, and to compel the removal of
14 such substances ~~the same~~.

15 Sec. 39. Section 15-222, Reissue Revised Statutes of Nebraska, is
16 amended to read:

17 15-222 A ~~primary~~ city of the primary class shall have the power to
18 make contracts with and authorize any person, company, or association to
19 erect gas works, electric works, or other light works in such ~~said~~ city,
20 and give such person, company, or association the privilege of furnishing
21 light for the streets, lanes, and alleys of such ~~said~~ city for any length
22 of time not exceeding one year, or for any time not exceeding five years
23 upon being authorized so to do by a majority vote of the electors of such
24 city. The mayor and city council shall not have power to grant a
25 franchise for any purpose for a period longer than twenty-five years.
26 Franchises to be granted for a longer period than twenty-five years shall
27 be submitted to a vote of the people and shall require a majority vote of
28 the electors of the city voting thereon at a general or special election.
29 All franchise ordinances shall require three readings on three separate
30 days before passage by the city council.

31 Sec. 40. Section 15-223, Reissue Revised Statutes of Nebraska, is

1 amended to read:

2 15-223 A primary city of the primary class shall have the power to
3 fix the rate of ~~tax~~ to be paid for the use of water furnished by the city
4 or any person or corporation by means of waterworks, and provide by
5 ordinance that any tax for the use of water furnished by such said city
6 shall be a lien upon the property where such water ~~the same~~ is furnished.

7 Sec. 41. Section 15-224, Reissue Revised Statutes of Nebraska, is
8 amended to read:

9 15-224 A primary city of the primary class shall have the power to
10 establish, alter, and change the channel of watercourses, and to wall and
11 cover such watercourses ~~them~~ over, to establish, make, and regulate
12 public wells, cisterns, aqueducts, and reservoirs of water, and to
13 provide for the filling of such wells, cisterns, aqueducts, and
14 reservoirs ~~the same~~.

15 Sec. 42. Section 15-225, Reissue Revised Statutes of Nebraska, is
16 amended to read:

17 15-225 A primary city of the primary class shall have the power to
18 provide for the organization of a fire department, to procure fire
19 engines, hooks, ladders, buckets, and other apparatus, to organize fire
20 engine, hook, ladder, and bucket companies, to prescribe rules of duty,
21 and the government of the fire department ~~thereof~~, with such penalties as
22 the city council may deem proper, not exceeding a one-hundred-dollar
23 fine, to make all necessary appropriations therefor, and to establish
24 regulations for the prevention and extinguishment of fires.

25 Sec. 43. Section 15-228, Reissue Revised Statutes of Nebraska, is
26 amended to read:

27 15-228 The city council shall have the power to create water
28 districts for the purpose of supplying water for domestic, industrial, or
29 fire purposes, or for the purpose of enlarging any water mains, now
30 existing or hereafter constructed. All such districts, to be known as
31 water districts, shall be created by ordinance and shall designate the

1 property to be benefited. Upon creation of any water district, the city
2 council shall have the power to construct or cause to be constructed,
3 either by contract with the lowest responsible bidder or directly by the
4 city, such water main or mains, or extensions or enlargements, including
5 all necessary appliances for fire protection, within such districts as
6 the city council shall determine, and assess the costs thereof against
7 the property in such district, not exceeding the special benefits
8 accruing on account thereof. The city council shall have the power and
9 authority to fix the period of time, not to exceed twenty years, in which
10 the special assessments against any property for the payment of the cost
11 of such improvements may be made. The city council shall have the power
12 and authority to issue bonds in accordance with the provisions of a home
13 rule charter of the city or of state law.

14 Sec. 44. Section 15-229, Reissue Revised Statutes of Nebraska, is
15 amended to read:

16 15-229 A primary city of the primary class shall have the power is
17 ~~hereby authorized~~ to acquire, either temporarily or permanently, lands,
18 real or personal property, or any interests therein, or any easements
19 deemed to be necessary or desirable for any present or future necessary
20 or authorized public purpose within or without the city by gift,
21 agreement, purchase, condemnation, or otherwise. In all such cases the
22 city shall make the person or persons whose property shall be taken or
23 injured thereby adequate compensation therefor. The procedure to condemn
24 property shall be exercised in the manner set forth in sections 76-704 to
25 76-724. A primary city of the primary class shall have authority to enter
26 upon any property to make surveys, examinations, investigations, and
27 tests, and to acquire other necessary and relevant data in contemplation
28 of establishing a location of a necessary or authorized public purpose,
29 acquiring property therefor, or performing other operations incident to
30 construction, reconstruction, or maintenance of such public purpose, and
31 entry upon any property pursuant to this authority shall not be

1 considered to be a legal trespass and no damages shall be recovered on
2 that account alone. In case of any actual or demonstrable damages to the
3 premises, the city shall pay the owner of the premises the amount of the
4 damages. Upon the failure of the landowner and the city to agree upon the
5 amount of damages, the landowner, in addition to any other available
6 remedy, may file a petition as provided for in section 76-705. The entry
7 by the city or its representatives shall be made only after notice of the
8 entry and its purpose.

9 Sec. 45. Section 15-229.01, Reissue Revised Statutes of Nebraska, is
10 amended to read:

11 15-229.01 In connection with the acquisition of lands, property, or
12 interests therein for a public purpose, a the city of the primary class
13 may acquire by any lawful means, except through condemnation, an entire
14 lot, block, or tract of land or property if, by so doing, the interests
15 of the public will be best served, even though the entire lot, block, or
16 tract is not immediately needed for public purposes. Without limiting
17 such authority, this may be done where uneconomic remnants of land would
18 be left the original owner or owners or where severance or consequential
19 damages to a remainder make the acquisition of the entire parcel more
20 economical to the city. In the event ; ~~Provided,~~ that ~~when~~ any such
21 property is left without access to a street and the cost of acquisition
22 of such landlocked property or land through condemnation would be more
23 economical to the city than the cost of providing a means of reasonable
24 ingress to or egress from the property or land, the city may acquire such
25 landlocked property or land by condemnation.

26 Sec. 46. Section 15-229.02, Reissue Revised Statutes of Nebraska, is
27 amended to read:

28 15-229.02 A The city of the primary class may acquire additional
29 real property by gift, agreement, purchase, exchange, or condemnation if
30 such additional real property is needed for the purpose of moving and
31 establishing thereon buildings, structures, or other appurtenances which

1 are situated on real property acquired by the city for a public purpose.
2 The city may make agreements for the exchange of property, to make
3 allowances for differences in the value of the properties being
4 exchanged, and to move or pay the cost of moving buildings, structures,
5 or other appurtenances.

6 Sec. 47. Section 15-230, Reissue Revised Statutes of Nebraska, is
7 amended to read:

8 15-230 A ~~primary~~ city of the primary class may establish, maintain,
9 and operate public library facilities, purchase books, papers, maps, and
10 manuscripts therefor, receive donations and bequests of money or property
11 for such facilities, books, papers, maps, and manuscripts ~~the same~~ in
12 trust or otherwise, and pass necessary bylaws and regulations for the
13 protection and government of such facilities, books, papers, maps, and
14 manuscripts ~~the same~~.

15 Sec. 48. Section 15-231, Reissue Revised Statutes of Nebraska, is
16 amended to read:

17 15-231 A ~~primary~~ city of the primary class may (1) purchase or
18 otherwise acquire ground for and erect, establish, operate, regulate, and
19 repair a city hospital or any hospital, the governing board of which is
20 appointed by the mayor or city council, (2) ~~;~~ ~~to~~ receive donations and
21 bequests of money or property for such hospital facilities ~~the same~~ in
22 trust or otherwise, ~~;~~ and (3) ~~to~~ issue bonds of the city for acquiring,
23 constructing, reconstructing, improving, extending, equipping, or
24 furnishing such hospital facilities.

25 Sec. 49. Section 15-234, Reissue Revised Statutes of Nebraska, is
26 amended to read:

27 15-234 For any hospital established under section 15-231, there
28 ~~There~~ shall be established ~~such~~ rules for the government of such hospital
29 and admission of persons to its privileges as may be deemed expedient. No
30 religious or sectarian association, organization, or body shall be
31 permitted to manage or control such hospital.

1 Sec. 50. Section 15-235, Reissue Revised Statutes of Nebraska, is
2 amended to read:

3 15-235 The city council of a city of the primary class may enter
4 into an agreement with a corporation or association organized for
5 charitable purposes in such city municipal corporation for the erection
6 and management of a hospital for the sick and disabled, and have a
7 permanent interest therein to an extent and upon such terms and
8 conditions as may be agreed upon between the city council and such
9 corporation or association. The city council shall provide for the
10 payment of the amount agreed upon, for any interests in such hospital
11 ~~therein so required~~, either in one payment or in installments, or so much
12 from year to year as the parties may stipulate. Such ; ~~Provided~~, such
13 agreement shall not be made if the city shall have established a hospital
14 as authorized by section 15-231. No such agreement shall extend more than
15 one year.

16 Sec. 51. Section 15-235.01, Reissue Revised Statutes of Nebraska, is
17 amended to read:

18 15-235.01 As used in the Hospital Sinking Fund Act sections
19 ~~15-235.01 to 15-235.05~~, unless the context otherwise requires:

20 (1) Governmental subdivision shall mean any city of the primary
21 class and also any county in which a city of the primary class is the
22 county seat thereof; and

23 (2) Hospital shall mean any hospital organized pursuant to section
24 15-231, or any hospital or hospital facility established by a
25 governmental subdivision in conjunction with or adjoining a hospital
26 organized pursuant to section 15-231.

27 Sec. 52. Section 15-235.03, Reissue Revised Statutes of Nebraska, is
28 amended to read:

29 15-235.03 All income, revenue, and profits of the hospital and money
30 derived from the levy provided for in section 15-235.02 ~~such levy~~, or
31 from grants, loans, or contributions from the United States, the State of

1 Nebraska, or any agency or instrumentality of such governments ~~either of~~
2 ~~them~~, shall be held by the treasurer of the governmental subdivision
3 having jurisdiction over the hospital, and the treasurer shall not
4 commingle such money with any other money under his or her control. Such
5 money shall be deposited in a separate bank account or accounts and shall
6 be withdrawn only by check or draft signed by such ~~said~~ treasurer on
7 requisition of the chairperson ~~chairman~~ of the hospital board or such
8 other person as the hospital board may authorize. The chief auditing
9 officer of the governmental subdivision and his or her legally authorized
10 representatives are ~~hereby~~ authorized and empowered from time to time to
11 examine the accounts and books of such hospital board, including its
12 receipts, disbursements, contracts, leases, sinking funds, and
13 investments, and any other matters relating to its financial standing.

14 Sec. 53. Section 15-236, Reissue Revised Statutes of Nebraska, is
15 amended to read:

16 15-236 A ~~primary~~ city of the primary class may make all such
17 ordinances, bylaws, rules, and regulations not inconsistent with the
18 general laws of the state as may be necessary or expedient to promote the
19 public health, safety, and welfare, including ordinances, bylaws, rules,
20 and regulations as may be necessary or expedient to prevent the
21 introduction or spread of contagious, infectious, or malignant diseases.
22 This power and authority is granted to such city in the area which is
23 within the corporate limits of the city and its extraterritorial zoning
24 jurisdiction. ~~The city or within three miles of the city and outside of~~
25 ~~any organized city or village.~~ It may create a department of health, make
26 laws and regulations for that purpose, and enforce such ~~all~~ ordinances,
27 bylaws, rules, and regulations ~~made as authorized herein~~ as provided in
28 section 15-263.

29 Sec. 54. Section 15-237, Reissue Revised Statutes of Nebraska, is
30 amended to read:

31 15-237 A ~~primary~~ city of the primary class shall have the power to

1 regulate in the area which is within the corporate limits of the city and
2 its extraterritorial zoning jurisdiction ~~city or within three miles of~~
3 ~~the city and outside the zoning jurisdiction of any organized city or~~
4 ~~village~~ in order to (1) secure the general health, (2) ~~;~~ to provide rules
5 for the prevention, abatement, and removal of nuisances, including the
6 pollution of air and water, and (3) ~~;~~ to make and prescribe regulations
7 for the construction, location, and regulation of all slaughterhouses,
8 stockyards, warehouses, commercial feed lots, stables, or other places
9 where offensive matter is kept, or is likely to accumulate.

10 Sec. 55. Section 15-238, Reissue Revised Statutes of Nebraska, is
11 amended to read:

12 15-238 A ~~primary~~ city of the primary class shall have the power by
13 ordinance to regulate and prohibit cesspools and privy vaults in such
14 ~~said~~ city, and shall have the power to require the owner or owners of any
15 lot, lots, or lands within such ~~said~~ cities, upon which any building or
16 buildings are located, to connect such ~~said~~ building or buildings with a
17 sewer, to provide such building or buildings ~~same~~ with a suitable privy
18 or watercloset, and to connect such ~~said~~ privy or watercloset with a
19 sewer, and to require such ~~said~~ owner or owners to keep all privy vaults
20 and cesspools clean. Upon the refusal to connect with a sewer or failure
21 of such ~~said~~ owner or owners to provide a suitable watercloset or privy,
22 or to make any sewer connection, or to remove any privy vault or
23 cesspool, or to clean the privy vault or cesspool ~~same~~, after five days'
24 notice by publication, or in place thereof, personal notice to so do,
25 then such ~~said~~ city, through its proper officers, shall have power to
26 make any sewer connection, construct any watercloset or privy, regulate
27 or remove any privy vault or cesspool, or clean the same, or cause the
28 same to be done, and shall have the power to provide by ordinance for
29 assessing the cost thereof by special assessment against the lot, lots,
30 or lands of such ~~said~~ owner or owners.

31 Sec. 56. Section 15-239, Reissue Revised Statutes of Nebraska, is

1 amended to read:

2 15-239 A ~~primary city of the primary class~~ may purchase, hold, and
3 pay for, in the manner ~~herein~~ provided in sections 15-239 to 15-243,
4 lands outside the corporate limits of such city for the purpose of burial
5 and cemetery grounds, and avenues leading thereto.

6 Sec. 57. Section 15-240, Reissue Revised Statutes of Nebraska, is
7 amended to read:

8 15-240 A ~~primary city of the primary class~~ may survey, plot, map,
9 grade, fence, ornament, and otherwise improve all burial and cemetery
10 grounds and avenues leading thereto owned by such said city. ~~The city~~ ~~It~~
11 may construct walks, rear and protect ornamental trees therein, and
12 provide for paying the expenses thereof.

13 Sec. 58. Section 15-241, Revised Statutes Cumulative Supplement,
14 2018, is amended to read:

15 15-241 A city of the primary class may convey cemetery lots owned by
16 such city by certificates signed by the mayor and countersigned by the
17 city clerk under seal of the city, specifying that the person to whom
18 such certificate ~~the same~~ is issued is owner of the lot or lots described
19 therein by number as laid down on such plat or map, for the purpose of
20 interment. Such certificate shall vest in the proprietor, his or her
21 heirs and assigns, a right in fee simple to such lot or lots for the sole
22 purpose of interment under the regulations of the city council.

23 Sec. 59. Section 15-242, Reissue Revised Statutes of Nebraska, is
24 amended to read:

25 15-242 A ~~primary city of the primary class~~ may limit the number of
26 cemetery lots which shall be owned by the same person at the same time, ~~and~~
27 ~~It~~ may prescribe rules for enclosing, adorning, and erecting monuments
28 and tombstones on cemetery lots, and may prohibit any diversion of the
29 use of such lots and any improper adornment thereof, but no religious
30 test shall be made as to the ownership of such lots, the burial therein,
31 or ~~nor~~ the ornamentation of graves or lots.

1 Sec. 60. Section 15-243, Reissue Revised Statutes of Nebraska, is
2 amended to read:

3 15-243 A ~~primary~~ city of the primary class may pass rules and
4 ordinances imposing penalties and fines, not exceeding one hundred
5 dollars, regulating, protecting, and governing the cemetery, the owners
6 of lots therein, visitors thereof, and trespassers therein. The officers
7 of such city shall have full jurisdiction and power in the enforcement of
8 such rules and ordinances as though they related to the city itself.

9 Sec. 61. Section 15-244, Reissue Revised Statutes of Nebraska, is
10 amended to read:

11 15-244 A ~~primary~~ city of the primary class may borrow money on the
12 credit of the city and pledge the credit, revenue, and public property of
13 the city for the payment thereof when authorized in the manner ~~herein~~
14 ~~provided, and in the manner otherwise~~ provided by law ~~or by the home rule~~
15 charter of the city or as otherwise provided by law. Such city ~~It~~ shall
16 have the power to issue general obligation bonds of the city, general
17 obligation notes, and refunding bonds, as provided in its home rule
18 charter or as otherwise provided by law. Such city ~~It~~ shall have the
19 power to issue revenue bonds for the purpose of acquiring, constructing,
20 reconstructing, improving, extending, equipping, or furnishing any
21 revenue-producing facility within or without the city which is for a
22 public purpose, except ~~;~~ ~~Provided,~~ that unless authorized by a majority
23 of the voters of such city voting upon the question, no revenue bonds
24 shall be issued for entering the public transportation, natural gas
25 distribution, or telephone fields or functions, ~~or to acquire before 1972~~
26 ~~that part of a retail distribution system of a public power district~~
27 ~~within the corporate limits of such city as those corporate limits~~
28 ~~existed on March 3, 1959.~~ Such city shall also have the power to contract
29 for the acquisition of the electric facilities and properties used or
30 useful in connection therewith of a public power district within or
31 without the city, and to pay for all or any part of the acquisition same

1 out of the earnings of electric facilities and properties.

2 Sec. 62. Section 15-247, Reissue Revised Statutes of Nebraska, is
3 amended to read:

4 15-247 A primary city of the primary class may divide the city into
5 election districts, establish the boundaries thereof, and number the
6 election districts same.

7 Sec. 63. Section 15-250, Reissue Revised Statutes of Nebraska, is
8 amended to read:

9 15-250 A primary city of the primary class may regulate and
10 prescribe the powers, ~~and~~ duties, and compensation of officers of the
11 city not otherwise herein provided by law.

12 Sec. 64. Section 15-252, Reissue Revised Statutes of Nebraska, is
13 amended to read:

14 15-252 A primary city of the primary class may require of any
15 officer of the city, at any time, a detailed report of the transactions
16 of his or her office or any matters connected therewith.

17 Sec. 65. Section 15-254, Reissue Revised Statutes of Nebraska, is
18 amended to read:

19 15-254 A primary city of the primary class may provide for the
20 revision of the ordinances of such city from time to time, ~~and~~ for their
21 publication in pamphlet, ~~or~~ book, or electronic form, with or without the
22 statutes relative to cities of the primary class.

23 Sec. 66. Section 15-255, Reissue Revised Statutes of Nebraska, is
24 amended to read:

25 15-255 A city of the primary class may (1) prohibit riots, routs,
26 noise, or disorderly assemblies, (2) ~~;~~ prevent use of firearms, rockets,
27 powder, fireworks, or other dangerous and combustible material, (3) ~~;~~
28 prohibit carrying of concealed weapons, except the carrying of a
29 concealed handgun in compliance with the Concealed Handgun Permit Act,
30 (4) ~~;~~ ~~arrest, punish, fine, or set at work on streets or elsewhere~~
31 ~~vagrants and persons found without visible means of support or legitimate~~

1 ~~business~~; regulate and prevent the transportation of gunpowder or
2 combustible articles, tar, pitch, resin, coal oil, benzine, turpentine,
3 hemp, cotton, nitroglycerine, dynamite, petroleum or its products, or
4 other explosives or inflammables, (5) ÷ regulate use of lights in
5 stables, shops, or other places and building of bonfires, ÷ and (6)
6 regulate and prohibit the piling of building material or any excavation
7 or obstruction of the streets.

8 Sec. 67. Section 15-256, Reissue Revised Statutes of Nebraska, is
9 amended to read:

10 15-256 A ~~primary city~~ of the primary class may punish disturbance of
11 the peace or good order, clamor, intoxication, drunkenness, fighting,
12 ~~obscene or profane language~~, or other violations of the public peace by
13 indecent or disorderly conduct, or blockading any street, sidewalk, way,
14 or space, or interfering with the passing of people.

15 Sec. 68. Section 15-257, Reissue Revised Statutes of Nebraska, is
16 amended to read:

17 15-257 A ~~primary city~~ of the primary class may provide for the
18 punishment of vagrants, tramps, ~~or common~~ street beggars, ~~common~~
19 prostitutes, ~~habitual~~ disturbers of the peace, pickpockets, gamblers,
20 burglars, thieves, ~~or ball game players~~, persons who practice any game,
21 trick, games, ~~tricks~~ or device with intent to swindle, ~~persons who abuse~~
22 ~~their families~~, and ~~suspicious persons who can give no reasonable account~~
23 ~~of themselves~~.

24 Sec. 69. Section 15-258, Reissue Revised Statutes of Nebraska, is
25 amended to read:

26 15-258 A city of the primary class may restrain, prohibit, and
27 suppress unlicensed ~~tippling shops~~, billiard tables, bowling alleys,
28 houses of prostitution, opium and illicit drug joints, dens, and other
29 disorderly houses and practices, games, and gambling houses, ~~deseccration~~
30 ~~of the Sabbath day~~, ~~commonly called Sunday~~, and may prohibit all public
31 amusements, shows, or exhibitions, and may prohibit ~~or ordinary business~~

1 ~~pursuits upon such day,~~ all lotteries, all fraudulent devices and
2 practices for the purposes of obtaining money or property, all shooting
3 galleries except as provided in the Nebraska Shooting Range Protection
4 Act, and all kinds of public indecencies, except that nothing in this
5 section shall be construed to apply to bingo, lotteries, lotteries by the
6 sale of pickle cards, or raffles conducted in accordance with the
7 Nebraska Bingo Act, the Nebraska Lottery and Raffle Act, the Nebraska
8 Pickle Card Lottery Act, the Nebraska Small Lottery and Raffle Act, or
9 the State Lottery Act.

10 Sec. 70. Section 15-259, Reissue Revised Statutes of Nebraska, is
11 amended to read:

12 15-259 A ~~primary~~ city of the primary class may erect, establish, and
13 regulate houses of correction, jails, community residential centers, work
14 release centers, halfway houses, and such other places of control or
15 confinement as may be designated as a jail facility from time to time by
16 the city, including station houses and other buildings necessary ~~for~~ ~~to~~
17 ~~the~~ keeping and confining ~~confinement~~ of prisoners, and may provide for
18 the government and support of such facilities ~~same~~.

19 Sec. 71. Section 15-261, Reissue Revised Statutes of Nebraska, is
20 amended to read:

21 15-261 A ~~primary~~ city of the primary class may regulate railroad
22 crossings, provide precautions, and prescribe rules for running railway
23 engines or cars, and their speed, for prevention of accidents at
24 crossings or on tracks or by fires from railway engines. A city of the
25 primary class ~~It~~ may regulate the running of buses and require heating
26 and cleaning thereof. A city of the primary class ~~It~~ may require
27 reasonable lighting of railway crossings in such manner as the city
28 council may prescribe. If the owner or operator fails to comply, the city
29 ~~it~~ may cause such requirement to be complied with ~~the same to be done~~ and
30 assess the expense of such requirements ~~thereof~~ against such railway
31 company to be collected as other taxes and to be a lien on the real

1 estate belonging to such company its property, or it may enforce
2 compliance by action of mandamus. The city may enforce such regulations
3 as are otherwise provided by law and ~~It~~ may require railways to keep
4 flagpersons ~~flagmen~~ at all railway street crossings where necessary to
5 protect the public against injury to person or property, and require the
6 installation, maintenance, and proper operation of gates, flashing
7 signals, or other warning devices to ensure ~~insure~~ such safety. A city of
8 the primary class ~~It~~ may compel railways to conform tracks to grades at
9 any time established, to keep tracks ~~them~~ level with the street surface,
10 and ~~it~~ may compel railways to keep streets open, construct and keep in
11 repair ditches, drains, sewers, and culverts along or under their right-
12 of-way or tracks, and lay and maintain paving upon their whole right-of-
13 way on paved streets.

14 Sec. 72. Section 15-262, Reissue Revised Statutes of Nebraska, is
15 amended to read:

16 15-262 A primary city of the primary class may provide for and cause
17 to be taken a census of the city.

18 Sec. 73. Section 15-263, Reissue Revised Statutes of Nebraska, is
19 amended to read:

20 15-263 (1) A primary city of the primary class may make all such
21 ordinances, bylaws, rules, and regulations not inconsistent with the
22 general laws of the state as may be necessary or expedient, in addition
23 to the special powers otherwise granted by law, (a) for maintaining the
24 peace, good government, and welfare of the city, and its trade, commerce,
25 and manufactories, (b) for preserving order, and securing persons or
26 property from violence, danger, and destruction, (c) for protecting
27 public and private property, and (d) for promoting the public health,
28 safety, convenience, comfort, morals, and general interests and welfare
29 of the inhabitants of the city.

30 (2) A city of the primary class may ~~, and to~~ enforce all such
31 ordinances by providing for imprisonment of those convicted of violations

1 ~~thereof at hard labor for a period not to exceed six months and may to~~
2 impose forfeitures, fines, and penalties not exceeding five hundred
3 dollars for any one offense, recoverable with costs, and, in the default
4 of the payment thereof, ~~to provide for confinement in the city prison or~~
5 county jail, ~~with or without hard labor upon the city streets or~~
6 ~~elsewhere for the benefit of the city,~~ until the judgment and costs are
7 paid.

8 Sec. 74. Section 15-264, Reissue Revised Statutes of Nebraska, is
9 amended to read:

10 15-264 Any city of the primary class shall have the right to
11 contract with any other governmental subdivision or agency, whether
12 local, state, or federal, for the keeping of prisoners, either in a
13 facility of the city or in a facility of the other governmental
14 subdivision or agency. Payment shall be made as provided in any such
15 contract or agreement.

16 Sec. 75. Section 15-265, Reissue Revised Statutes of Nebraska, is
17 amended to read:

18 15-265 The mayor and city council of a city of the primary class
19 shall have supervision and control of all public ways and public grounds
20 within the city, and shall require the same to be kept open, in repair,
21 and free from nuisances.

22 Sec. 76. Section 15-266, Reissue Revised Statutes of Nebraska, is
23 amended to read:

24 15-266 The mayor and city council of a city of the primary class
25 shall have power to regulate and provide for the lighting of streets,
26 laying down gas, water, and other pipes, and the erection of lampposts,
27 electric towers, or other apparatus. The mayor and city council They may
28 regulate the sale and use of gas and electric lights and fix and
29 determine the price of gas, the charge of electric lights and power, and
30 the rents of gas meters within the city, and regulate the inspection
31 thereof. The mayor and city council They may regulate telephone service

1 and the use of telephones within the city, prohibit or regulate the
2 erection of ~~telegraph,~~ telephone or electric wire poles or other poles
3 for whatsoever purpose desired or used in the public grounds, streets, or
4 alleys, and the placing of wires thereon, require the removal from the
5 public grounds, streets, or alleys of any or all such poles, and require
6 the removal and placing under ground of any or all ~~telegraph,~~ telephone
7 or electric wires.

8 Sec. 77. Section 15-268, Revised Statutes Cumulative Supplement,
9 2018, is amended to read:

10 15-268 A city of the primary class may provide for the destruction
11 and removal of weeds and worthless vegetation growing upon any lot, or
12 lots, or lands within the corporate limits of such city or within its
13 extraterritorial ~~three-mile~~ zoning jurisdiction or upon the streets and
14 alleys abutting upon any lot, or lots, or lands, and such city may
15 require the owner or owners of such lot, or lots, or lands to destroy and
16 remove such weeds and worthless vegetation therefrom and from the streets
17 and alleys abutting thereon. If, after five days' notice by publication,
18 by certified United States mail, or by the conspicuous posting of the
19 notice on the lot or land upon which the nuisance exists, the owner or
20 owners fail, neglect, or refuse to destroy or remove the nuisance, the
21 city, through its proper officers, shall destroy and remove the nuisance,
22 or cause the nuisance to be destroyed or removed, from the lot, or lots,
23 or lands and streets and alleys abutting thereon and shall assess the
24 cost thereof against such lot, or lots, or lands as a special assessment.

25 Sec. 78. Section 15-268.01, Reissue Revised Statutes of Nebraska, is
26 amended to read:

27 15-268.01 (1) Any city of the primary class may provide for the
28 collection and removal of garbage or refuse found upon any lot, lots, or
29 land within the corporate limits of such city or within the
30 extraterritorial zoning jurisdiction ~~three-mile jurisdictional limit~~ of
31 the city, or upon the streets, roads, or alleys abutting such lot, lots,

1 or land, which constitutes a public nuisance. The city may require the
2 owner, owners, duly authorized agent, or tenant of such lot, lots, or
3 land to remove the garbage or refuse therefrom and from the streets,
4 roads, or alleys abutting thereon.

5 (2) Notice that removal of garbage or refuse is necessary shall be
6 given to (a)(i) the owner or owners, or (ii) the duly authorized agent,
7 and (b) the tenant. Such notice shall be provided by personal service or
8 by certified mail. After providing such notice, the city through its
9 proper offices shall, in addition to other proper remedies, remove the
10 garbage or refuse, or cause it to be removed, from such lot, lots, or
11 land, and streets, roads, or alleys abutting thereon.

12 (3) If the mayor of such city shall declare that the accumulation of
13 such garbage or refuse upon any lot, lots, or land constitutes an
14 immediate nuisance and hazard to public health and safety, the city shall
15 remove the garbage or refuse from such lot, lots, or land twenty-four
16 hours after notice by personal service in accordance with subsection (2)
17 of this section if such garbage or refuse has not been removed.

18 Sec. 79. Section 15-269, Reissue Revised Statutes of Nebraska, is
19 amended to read:

20 15-269 The Legislature finds and declares that the great increase
21 in the number of motor vehicles, including buses and trucks, has created
22 hazards to life and property in cities of the primary class in Nebraska
23 ~~State recognition is hereby given to the hazard created in the streets of~~
24 ~~cities of the primary class of Nebraska by the great increase in the~~
25 ~~number of motor vehicles, including cars, buses, and trucks.~~ In order to
26 remove or reduce the hazards to life and property and the inconvenience
27 of congested traffic on the streets in such cities in this state, it is
28 deemed necessary and of general benefit to the entire State of Nebraska
29 to provide means for such cities in Nebraska to own offstreet parking
30 facilities for the parking of motor vehicles.

31 Sec. 80. Section 15-270, Reissue Revised Statutes of Nebraska, is

1 amended to read:

2 15-270 Any city of the primary class in Nebraska may own, purchase,
3 construct, equip, lease, or operate within such city offstreet motor
4 vehicle parking facilities for the use of the general public. Any such
5 city shall have the authority to acquire by grant, contract, purchase, or
6 through the condemnation of property, as provided in sections 76-704 to
7 76-724 ~~by law for such acquisition~~, all real or personal property,
8 including a site or sites on which to construct such facilities,
9 necessary or convenient in the carrying out of this grant of power.

10 Sec. 81. Section 15-271, Reissue Revised Statutes of Nebraska, is
11 amended to read:

12 15-271 (1) In order to pay the cost required by any purchase,
13 construction, lease, or condemnation of property and equipping of
14 offstreet motor vehicle parking ~~such~~ facilities, or the enlargement of
15 presently owned offstreet motor vehicle parking facilities, a city of the
16 primary class ~~the city~~ may issue revenue bonds to provide the funds for
17 such improvements, except ; ~~Provided,~~ that any such city may not issue
18 revenue bonds under ~~the provisions of~~ sections 15-269 to 15-276 to
19 acquire any privately owned parking garage or privately owned commercial
20 parking lot having space for the parking of two hundred or more motor
21 vehicles.

22 (2) Any ordinance authorizing such revenue bonds may contain such
23 covenants and provisions to protect and safeguard the security of the
24 holders of such bonds as shall be deemed necessary to assure the prompt
25 payment of the principal thereof and the interest thereon.

26 (3) Such revenue bonds shall not be sold at discounts exceeding five
27 percent, and such bonds shall not bear interest in excess of the rate of
28 interest specified in section 45-104.01, as such rate may from time to
29 time be adjusted by the Legislature. Such bonds shall be issued for such
30 terms as the ordinance authorizing them shall prescribe but shall not
31 mature later than fifty years after the date of issuance thereof.

1 (4) Any such revenue bonds which may be issued shall not be included
2 in computing the maximum amount of bonds which the issuing city of the
3 primary class may be authorized to issue under its charter or any statute
4 of this state. If any city has installed or installs onstreet parking
5 meters, it may pledge all or any part of the revenue of such parking
6 meters, not previously pledged, as security for the bonds authorized by
7 this section.

8 Sec. 82. Section 15-272, Reissue Revised Statutes of Nebraska, is
9 amended to read:

10 15-272 ~~A Such~~ city of the primary class may make and enter into any
11 and all contracts and agreements with any individual, public or private
12 corporation, or agency of this state or of the United States, as may be
13 necessary or incidental to the performance of its duties and the
14 execution of its powers under sections 15-269 to 15-276. In the exercise
15 of this authority, such city may make such contracts and agreements as
16 may be needed for the payment of the revenue bonds authorized by sections
17 15-269 to 15-276 and for the successful operation of the parking
18 facilities. In the exercise of this authority, the city may lease or
19 grant concessions for the use of the facilities or various portions
20 thereof to one or more operators to provide for the efficient operation
21 of the facilities, but no lease or concession shall run for a period in
22 excess of thirty years. In granting any lease or concession, or in making
23 any contract or agreement, the city shall retain such control of the
24 facilities as may be necessary to insure that the facilities will be
25 properly operated in the public interest and that the rates, ~~or~~ charges,
26 or prices are reasonable.

27 Sec. 83. Section 15-273, Reissue Revised Statutes of Nebraska, is
28 amended to read:

29 15-273 ~~A Such~~ city of the primary class is authorized to make all
30 necessary rules and regulations governing the use, operation, and control
31 of offstreet motor vehicle parking such facilities constructed or

1 acquired under sections 15-269 to 15-276. Such city ~~It~~ shall establish
2 and maintain equitable rates sufficient in amount to pay for the cost of
3 the operation, repair, and upkeep of the facilities to be purchased,
4 acquired, or leased, and the principal of and interest on any revenue
5 bonds issued pursuant to ~~the provisions of~~ sections 15-269 to 15-276. The
6 city may also make any other agreements with the purchasers of the bonds
7 for the security of the issuing city and the purchasers of such bonds not
8 in contravention of ~~the provisions of~~ sections 15-269 to 15-276.

9 Sec. 84. Section 15-274, Reissue Revised Statutes of Nebraska, is
10 amended to read:

11 15-274 The provisions of sections 15-269 to 15-276 and of any
12 ordinance authorizing the issuance of bonds under such ~~the provisions of~~
13 sections ~~15-269 to 15-276~~ shall constitute a contract with the holders of
14 such bonds, and any holder of a bond or bonds or any of the coupons of
15 any bond or bonds of such city of the primary class municipality, issued
16 under ~~the provisions of~~ sections 15-269 to 15-276, may either in law or
17 in equity, by suit, action, mandamus, or other proceedings, enforce and
18 compel the performance of all duties required by such ~~the provisions of~~
19 sections ~~15-269 to 15-276~~ or by the ordinance authorizing the bonds,
20 including the making and collection of sufficient charges and fees for
21 service and the use thereof, and the application of income and revenue
22 thereof.

23 Sec. 85. Section 15-307, Reissue Revised Statutes of Nebraska, is
24 amended to read:

25 15-307 All elective officers of a the city of the primary class,
26 except city council members, shall give a good and sufficient bond or
27 evidence of equivalent insurance in an amount to be fixed by ordinance,
28 for the faithful performance of their duties. Each city council member
29 before entering upon the duties of his or her office shall give a bond or
30 evidence of equivalent insurance in favor of the city in the sum of two
31 thousand dollars. If a bond is given, it shall be signed by a surety

1 company or by two or more good and sufficient sureties who are residents
2 of such city, who shall justify that he or she is worth at least two
3 thousand dollars over and above his or her debts, liabilities, and
4 exemptions, conditioned for the faithful discharge of the duties of the
5 city council members and conditioned further that if the city council
6 members vote for an expenditure of money or the creation of any liability
7 in excess of the amount allowed by law, or vote for the transfer of any
8 sum of money from one fund to another where such transfer is not allowed
9 by law, such city council members and surety or sureties signing the
10 bonds shall be liable thereon.

11 Sec. 86. Section 15-308, Reissue Revised Statutes of Nebraska, is
12 amended to read:

13 15-308 All appointive officers of a the city of the primary class
14 before entering upon their respective duties shall give a good and
15 sufficient bond or evidence of equivalent insurance in an amount to be
16 fixed by ordinance in favor of the city, conditioned upon the faithful
17 performance of their duties.

18 Sec. 87. Section 15-309, Reissue Revised Statutes of Nebraska, is
19 amended to read:

20 15-309 The city council of a city of the primary class shall have
21 the power by ordinance to fix the salaries of the officers and employees
22 of the city and provide by ordinance for the forfeiting of the salary of
23 any officer or employee.

24 Sec. 88. Section 15-309.01, Reissue Revised Statutes of Nebraska, is
25 amended to read:

26 15-309.01 No officer of a city of the primary class shall receive
27 any pay or perquisite from the city other than his or her salary, \div and
28 the city council shall not pay or appropriate any money or other valuable
29 thing to any person, not an officer, for the performance of any act,
30 service, or duty, the performance of which shall come within the proper
31 scope of the duties of any officer of the city, unless such money or

1 ~~other valuable thing the same~~ is specifically specially appropriated and
2 ordered by unanimous vote of all members elected to the city council.

3 Sec. 89. Section 15-310, Reissue Revised Statutes of Nebraska, is
4 amended to read:

5 15-310 The mayor shall be the chief executive officer of a the city
6 of the primary class. The executive and administrative power of a city of
7 the primary class shall be vested in and exercised by the mayor, who
8 shall also be the ceremonial head of the city government. The mayor shall
9 enforce the city ordinances and all applicable laws. The mayor He may
10 administer oaths, may perform all the duties devolving upon a magistrate,
11 and shall sign commissions and appointments of all officers appointed by
12 him or her with city ~~the~~ council approval.

13 Sec. 90. Section 15-311, Reissue Revised Statutes of Nebraska, is
14 amended to read:

15 15-311 The mayor of a city of the primary class shall have such
16 jurisdiction as may be vested in him or her by ordinance, over all places
17 within the city of the primary class or within its extraterritorial
18 zoning jurisdiction ~~three miles of the corporate limits of the city and~~
19 ~~outside of any organized city or village~~, for the enforcement of the
20 health ordinances and regulations thereof, and for the purpose of
21 carrying out the provisions of all such ordinances, except that the
22 ordinances respecting taxation shall not be enforced outside of the
23 corporate limits of such ~~primary~~ city of the primary class.

24 Sec. 91. Section 15-314, Reissue Revised Statutes of Nebraska, is
25 amended to read:

26 15-314 The mayor and chief of police of a city of the primary class
27 shall each have the power to call upon any citizen to aid in the
28 enforcement of any ordinance or suppression of any riot, and any person
29 who shall refuse or neglect to obey such call shall forfeit and pay a
30 fine not exceeding one hundred dollars. Such power shall not be construed
31 to include the appointment of special police or special deputies.

1 Sec. 92. Section 15-315, Reissue Revised Statutes of Nebraska, is
2 amended to read:

3 15-315 The mayor of a city of the primary class shall have the power
4 to remit fines and forfeitures and to grant reprieves and pardons for all
5 offenses arising under the ordinances of the city.

6 Sec. 93. Section 15-316, Reissue Revised Statutes of Nebraska, is
7 amended to read:

8 15-316 The city clerk of a city of the primary class shall have the
9 custody of all laws and ordinances and shall keep a correct journal of
10 the proceedings of the city council. ~~After ; Provided, that after~~ the
11 period of time specified by the State Records Administrator pursuant to
12 ~~the Records Management Act sections 84-1201 to 84-1220~~, the city clerk
13 may transfer such journal of the proceedings of the city council to the
14 State Archives of the Nebraska State Historical Society, for permanent
15 preservation. The city clerk ~~He~~ shall keep a correct record of all
16 outstanding bonds against the city showing the number and amount of each,
17 for what and to whom issued, and when purchased, paid, or canceled, and
18 shall make an annual report showing particularly the bonds issued and
19 sold during the year, and the terms of sale, with each item of expense
20 thereof. The city clerk ~~He~~ shall perform such other or further duties as
21 may be required of him or her by ordinances of the city. The city clerk
22 ~~He~~ shall also make a monthly report to the city council showing the
23 amount appropriated to each fund, and the whole amount of funds drawn
24 thereon, which report shall be recorded in spread at large upon the
25 minutes. The city clerk ~~He~~ may, if the city council deem assistance
26 necessary, appoint a deputy who shall give a bond in favor of the city
27 the same as is required of the city clerk ~~himself~~.

28 Sec. 94. Section 15-317, Reissue Revised Statutes of Nebraska, is
29 amended to read:

30 15-317 The city treasurer of a city of the primary class shall be
31 required to give a bond or evidence of equivalent insurance of not less

1 than one hundred fifty thousand dollars or he or she may be required to
2 give a bond or evidence of equivalent insurance double the sum of money
3 estimated by the city council to be at any time in his or her hands
4 belonging to the city. ~~The city treasurer and school districts, and he or~~
5 ~~she~~ shall be the custodian of all money belonging to the city and all
6 securities belonging or to be held by the city. The city treasurer ~~He or~~
7 ~~she~~ shall keep a separate account of each fund or appropriation and
8 debits and credits belonging thereto. The city treasurer ~~He or she~~ shall
9 give every person paying money into the treasury a receipt therefor,
10 specifying the date of payment and on what account paid, and he or she
11 shall also file copies of receipts with his or her monthly report. The
12 city treasurer ~~He or she~~ shall monthly and as often as required render to
13 the city council an account under oath showing the state of the treasury
14 at that date, the amount of money remaining in each fund, the amount paid
15 therefrom, and the balance of money in the treasury. The city treasurer
16 ~~He or she~~ shall also accompany such accounts with a statement of all
17 receipts and disbursements, together with all warrants redeemed and paid
18 by him or her, which warrants, together with any and all vouchers held by
19 him or her, shall be filed in the city clerk's office, and if he or she
20 neglects or fails for thirty days from the end of any month to enter such
21 accounts, his or her office may by resolution of the mayor and city
22 council be declared vacant, and the mayor with the concurrence of the
23 city council shall fill the vacancy by appointment until the next
24 election of the city officers. The city treasurer may employ and appoint
25 a deputy and an assistant or assistants as determined by ordinance. The
26 city treasurer shall be liable upon his or her official bond for the acts
27 of such appointees.

28 Sec. 95. Section 15-322, Reissue Revised Statutes of Nebraska, is
29 amended to read:

30 15-322 The city attorney of a city of the primary class shall be the
31 legal advisor of the mayor, the city council, and city officers of a city

1 of the primary class. The city attorney He shall commence, prosecute, and
2 defend actions on behalf of the city, attend the meetings of the city
3 council, and give opinions, orally or in writing, as required, upon any
4 matter submitted to him or her by the mayor, the city council, or any
5 officers of the city. The city attorney He is authorized to prepare,
6 file, and sign the proper complaint when there is sufficient evidence to
7 warrant the belief that a person is guilty and can be convicted of a
8 violation of a city ordinance. The city attorney He shall draft or review
9 for legal correctness ordinances, contracts, franchises, and other
10 instruments as may be required, and the city attorney he shall perform
11 such other duties as may be imposed upon him or her by general law or by
12 ordinance. The city attorney may appoint a deputy city attorney and one
13 or more assistant city attorneys, whose duties may be prescribed by
14 ordinance.

15 Sec. 96. Section 15-326, Reissue Revised Statutes of Nebraska, is
16 amended to read:

17 15-326 The ~~marshal~~ or chief of police of a city of the primary class
18 shall have the immediate charge of the police, and he or she and his or
19 her officers shall have the power and duty to arrest all offenders
20 against the laws of the state or the ordinances of the city in the same
21 manner as the county sheriff and to keep such offenders in the city jail
22 or other place to prevent their escape until a trial or examination may
23 be had before a proper officer. The jurisdiction of the ~~marshal~~ or chief
24 of police and his or her officers in the service of process, in all
25 criminal cases, and in cases for the violation of city ordinances shall
26 be coextensive with the county.

27 Sec. 97. Section 15-332, Reissue Revised Statutes of Nebraska, is
28 amended to read:

29 15-332 The power to remove from office the mayor or any city council
30 member councilman or other officer of a city of the primary class for
31 good and sufficient cause is hereby conferred upon the district court for

1 the county in which such city is situated, when not otherwise herein
2 provided by law, and whenever any three city council members ~~councilmen~~
3 shall make and file with the clerk of such ~~said~~ court the proper charges
4 and specifications against the mayor, alleging and showing that he or she
5 is guilty of malfeasance or misfeasance as such officer, or that he or
6 she is incompetent or neglects any of his or her duties as mayor, or that
7 for any other good and sufficient cause stated, he or she should be
8 removed from office as mayor; or whenever the mayor or any three city
9 council members ~~councilmen~~ shall make and file with the clerk of such
10 ~~said~~ court the proper charges and specifications against any city council
11 member ~~councilman~~ or other officer, alleging and showing that he or she
12 is guilty of malfeasance or misfeasance in office or that he or she is
13 incompetent or neglects any of his or her duties, or that from any other
14 good and sufficient cause stated, he or she should be removed from
15 office, the judge of such court may issue the proper order writ,
16 requiring such officer to appear before him or her on a day named
17 therein, not more than ten days after the service of such order writ,
18 together with a copy of such charges and specifications, upon such
19 officer to show cause why he or she should not be removed from his or her
20 office. The proceedings in such case shall take precedence over all civil
21 cases, and be conducted according to the rules of such court in such
22 cases made and provided, and such officer may be suspended from the
23 duties of his or her office during the pendency of such proceedings by
24 order of such ~~said~~ court. During the time any officer is suspended, the
25 mayor and city council, or in case the mayor is suspended, then the city
26 council, may appoint any competent person to perform the duties of the
27 officer so suspended, and provide for his or her compensation, and
28 require such appointee to execute a good and sufficient bond for the
29 faithful performance of the duties of the office.

30 Sec. 98. Section 15-401, Reissue Revised Statutes of Nebraska, is
31 amended to read:

1 15-401 Regular meetings of the city council of a city of the primary
2 class shall be held at least once each week on such days and at such
3 times as the city council may prescribe in its rules, and special
4 meetings shall be held whenever called by the mayor or any four members
5 of the city council. The city council may choose not to meet during any
6 week in which a federal or state holiday occurs. Four members of the city
7 council shall constitute a quorum for the transaction of any business,
8 and four affirmative votes shall be required to pass any measure or to
9 transact any business unless it is otherwise provided by any home rule
10 charter of a city of the primary class.

11 Sec. 99. Section 15-402, Reissue Revised Statutes of Nebraska, is
12 amended to read:

13 15-402 Ordinances of a city of the primary class shall be passed
14 pursuant to such rules and regulations as the city council may provide,
15 and may be proved by the certificate of the city clerk under seal of the
16 city. The passage, approval, publication, or posting of ordinances shall
17 be sufficiently proved by certificate of the city clerk under seal of the
18 city showing when passed and approved, when and in what legal newspaper
19 ~~paper~~ published, or when, by whom, and where the ordinance ~~same~~ was
20 posted. Ordinances printed or published in book, ~~or~~ pamphlet, or
21 electronic form, purporting to be published under authority of the city,
22 shall be received in evidence in all courts without further proof. All
23 such ordinances need not be otherwise published and shall be received in
24 court as evidence of the passage, approval, and publication thereof, as
25 required by law, and of the respective dates thereof.

26 Sec. 100. Section 15-403, Reissue Revised Statutes of Nebraska, is
27 amended to read:

28 15-403 The style of ordinances of a city of the primary class shall
29 be: Be it ordained by the city council of the city of All
30 ordinances shall be published within fifteen days after passage thereof,
31 such publication to be sufficient if published in one issue of a legal

1 ~~daily or weekly~~ newspaper in or of general circulation in the city, or
2 posted on the official bulletin board of the city at the city hall, or in
3 book, ~~or~~ pamphlet, or electronic form, as may be provided by ordinance,
4 to be distributed or sold in the city. Ordinances fixing a penalty or
5 forfeiture for the violation thereof shall not take effect until fifteen
6 days after passage, and in no case before one week after the publication
7 thereof in the manner ~~above~~ prescribed in this section, except that ~~;~~
8 ~~Provided,~~ in case of riots, infectious or contagious diseases, or other
9 impending danger or other emergency requiring immediate operation of the
10 ordinance, such ordinance ~~the same~~ shall take effect immediately upon the
11 publication thereof as ~~above~~ prescribed in this section. All ordinances,
12 except as otherwise provided in this section ~~hereinabove~~ ~~prescribed,~~
13 shall take effect fifteen days after passage.

14 Sec. 101. Section 15-404, Revised Statutes Cumulative Supplement,
15 2018, is amended to read:

16 15-404 All ordinances, resolutions, or orders for the appropriation
17 or payment of money in a city of the primary class shall require for
18 passage or adoption the concurrence of a majority of the members elected
19 to the city council. Ordinances of a general or permanent nature shall be
20 read by title on three different days unless the city council votes to
21 suspend this requirement by a two-thirds vote of the members, except that
22 such requirement shall not be suspended for any ordinance for the
23 annexation of territory or the redrawing of boundaries for city council
24 election districts or wards or as otherwise provided by law. No ordinance
25 shall contain a subject which is not clearly expressed in its title. No
26 ordinance or section thereof shall be revised or amended unless the new
27 ordinance contains the entire ordinance or section as revised or amended,
28 and the ordinance or section so amended shall be repealed.

29 Sec. 102. Section 15-406, Reissue Revised Statutes of Nebraska, is
30 amended to read:

31 15-406 The mayor of a city of the primary class shall from time to

1 time communicate to the city council such recommendations or information
2 as in his or her opinion tend to improve the finances, police, health,
3 comfort, and general welfare of the city.

4 Sec. 103. Section 15-501, Reissue Revised Statutes of Nebraska, is
5 amended to read:

6 15-501 When a system of waterworks shall have been adopted in a city
7 of the primary class and the people shall have voted to borrow money to
8 aid their construction, the mayor and city council may (1) construct and
9 maintain such system of waterworks, either within or without the
10 corporate limits of the city, (2) make all needful rules and regulations
11 concerning the use of such waterworks, and (3) do all acts necessary for
12 the construction, completion, and management and control of such
13 waterworks ~~the same, not inconsistent with law,~~ including the exercise of
14 the right of eminent domain. The procedure to condemn property shall be
15 exercised in the manner set forth in sections 76-704 to 76-724.

16 Sec. 104. Section 15-502, Reissue Revised Statutes of Nebraska, is
17 amended to read:

18 15-502 In case such aid shall not be voted by the people as provided
19 in section 15-501 ~~in the manner aforesaid~~ or in case the system of
20 waterworks shall prove inadequate for the needs of the city of the
21 primary class, both public and private, then the mayor and city council
22 may contract with and procure individuals or corporations to construct
23 and maintain a system of waterworks in such city of the primary class for
24 any time not exceeding twenty years from the date of the contract, and
25 with a reservation to the city of the right to purchase such waterworks
26 at any time after the lapse of ten years from the date of the contract,
27 upon payment to such individuals or corporation of an amount to be
28 determined by the contract not exceeding the cost of construction of such
29 waterworks. In other respects such contracts may be upon such terms as
30 may be agreed upon by a two-thirds vote of the mayor and city council,
31 recorded in entered upon the minutes, except that ~~;~~ ~~Provided,~~ no such

1 contract shall be made unless authorized by a majority vote of the legal
2 voters at a special election called for such purpose.

3 Sec. 105. Section 15-701, Reissue Revised Statutes of Nebraska, is
4 amended to read:

5 15-701 The city council of a city of the primary class shall have
6 the power by ordinance to create, open, widen, or otherwise improve,
7 vacate, control, name, and rename any street, alley, or public way or
8 ways, including the sidewalk space within the corporate limits of the
9 city, except that all damages sustained by the owners of the property
10 thereon by opening or widening shall be ascertained as provided in the
11 ~~manner set forth~~ in sections 76-704 to 76-724. Whenever any street,
12 alley, or public way shall be vacated, such street, alley, or public way
13 ~~the same~~ shall revert to the owners of the adjacent real estate, one-half
14 on each side thereof, unless the city reserves title to such street,
15 alley, or public way ~~thereto~~ in the ordinance vacating such street,
16 alley, or public way. In the event title is retained by the city, such
17 property may be sold, conveyed, exchanged, or leased upon such terms and
18 conditions as shall be deemed in the best interests of the city, as
19 authorized in its home rule charter. When the city vacates all or any
20 portion of a street, alley, or public way or ways, the city shall, within
21 thirty days after the effective date of the vacation, file a certified
22 copy of the vacating ordinance with the register of deeds for the county
23 in which the vacated property is located to be indexed against all
24 affected lots.

25 Sec. 106. Section 15-701.01, Reissue Revised Statutes of Nebraska,
26 is amended to read:

27 15-701.01 The city council of a city of the primary class shall have
28 the power to grade partially, or to an established grade, curb, recurb,
29 gutter, construct sidewalks, or otherwise improve or repair any street or
30 streets, alley or alleys, public grounds, public way or ways, or parts
31 thereof, including sidewalk space, at public cost, or by levy of special

1 assessments ~~benefits~~ on the property specially benefited thereby,
2 proportionate to the benefits. When the streets, public ways, or public
3 grounds ~~shall~~ have been brought to an established grade, the city council
4 shall have power to bring sidewalks and sidewalk space therein to a grade
5 and to construct sidewalks, and shall have power and authority to levy
6 special assessments against the property specially benefited, not to
7 exceed the cost of the improvement. Ordinary repairs, not including
8 repaving or resurfacing or relaying existing pavement or making sidewalk
9 repairs, shall be at public cost.

10 Sec. 107. Section 15-701.02, Reissue Revised Statutes of Nebraska,
11 is amended to read:

12 15-701.02 The city council of a city of the primary class shall have
13 the power to grade, to change grade, and to pave, repave, macadamize,
14 curb, recurb, gravel, ~~or~~ regravelling, open, and widen streets, roadways, or
15 public ways, gutter, resurface, or relay existing pavement, or otherwise
16 improve any street, streets, alley, alleys, public grounds, or public way
17 or ways, or parts thereof, including the sidewalk space, and including
18 improvement by mall or promenade, and by ordinance to create grading,
19 paving, repaving, curbing, recurbing, resurfacing, graveling,
20 regravelling, sidewalk, or improvement districts thereof, to be
21 consecutively numbered, and such districts may include two or more
22 connecting or intersecting streets, alleys, or public ways and may
23 include two or more improvements, in this section mentioned, in one
24 proceeding. Cost of so improving the street, streets, alley, alleys,
25 public grounds, or public way or ways, including sidewalks, may be in
26 whole or in part assessed, proportionate to benefits, on the property
27 specially benefited. The city council may fix the depth to which property
28 may be charged and assessed for benefits, and to a greater depth than the
29 lots fronting on the street, streets, alley, alleys, public grounds, or
30 public way or ways so improved, and the determination thereof by the city
31 council shall be conclusive. The city council shall have the power and

1 authority to fix the period of time for the payment of the special
2 assessments, and to issue bonds, as authorized by the home rule charter.

3 Sec. 108. Section 15-702.01, Reissue Revised Statutes of Nebraska,
4 is amended to read:

5 15-702.01 (1) A city of the primary class shall have the power to
6 designate and establish controlled-access facilities, ~~and~~ may design,
7 construct, maintain, improve, alter, and vacate such facilities, and may
8 regulate, restrict, or prohibit access to such facilities so as best to
9 serve the traffic for which such facilities are intended. Such a city may
10 provide for the elimination of intersections at grade with existing
11 roads, streets, highways, or alleys, if the public interest shall be
12 served thereby. An existing road, street, alley, or other traffic
13 facility may be included within such facilities or such facilities may
14 include new or additional roads, streets, highways, or alleys ~~the like~~.
15 In order to carry out the purposes of this section, the city, in addition
16 to any other powers it may have, may acquire, in private or public
17 property, such rights of access as are deemed necessary, including, but
18 not necessarily limited to, air, light, view, egress, and ingress. Such
19 acquisitions may be by gift, devise, purchase, agreement, adverse
20 possession, prescription, condemnation, or otherwise as provided by law
21 and may be in fee simple absolute or in any lesser estate or interest.
22 The city may make provision to mitigate damages caused by such
23 acquisitions, terms, ~~and~~ conditions regarding the abandonment or reverter
24 of such acquisitions, and any other provisions or conditions that are
25 desirable for the needs of the city and the general welfare of the
26 public.

27 (2) No automotive service stations or other commercial
28 establishments for serving motor vehicle users shall be constructed or
29 located on the publicly owned right-of-way of, or on any publicly owned
30 or publicly leased land used for, or in connection with, a controlled-
31 access facility.

1 Sec. 109. Section 15-702.02, Reissue Revised Statutes of Nebraska,
2 is amended to read:

3 15-702.02 A city of the primary class shall have the power ~~is~~
4 ~~authorized~~ to designate, establish, design, construct, maintain, vacate,
5 alter, improve, and regulate frontage roads within the boundaries of any
6 present or hereafter acquired right-of-way and to exercise the same
7 jurisdiction over such frontage roads as is authorized over controlled-
8 access facilities. Such frontage roads may be connected to or separated
9 from the controlled-access facilities at such places as the city shall
10 determine to be consistent with public safety. Upon the construction of
11 any frontage road, any right of access between the controlled-access
12 facility and property abutting or adjacent to such frontage road shall
13 terminate and ingress to and egress from the frontage road shall be
14 provided at such places as will afford reasonable and safe connections.

15 Sec. 110. Section 15-702.03, Reissue Revised Statutes of Nebraska,
16 is amended to read:

17 15-702.03 The right of reasonably convenient egress to and ingress
18 from lands or lots, abutting on an existing highway, street, or road
19 within a city of the primary class, may not be denied except with the
20 consent of the owners of such lands or lots, or with the condemnation of
21 such right of access to and from such abutting lands or lots. If the
22 construction or reconstruction of any highway, street, or road, to be
23 paid for in whole or in part with federal or state highway funds, results
24 in the abutment of property on such highway, street, or road that did not
25 theretofore have direct egress from and ingress to it, no rights of
26 direct access shall accrue because of such abutment, but the city may
27 prescribe and define the location of the privilege of access, if any, of
28 properties that then, but not theretofore, abut on such highway, street,
29 or road.

30 Sec. 111. Section 15-702.04, Reissue Revised Statutes of Nebraska,
31 is amended to read:

1 15-702.04 In all specifications for materials to be used in paving,
2 curbing, and guttering of every kind, of access ways, ~~a the city of the~~
3 primary class shall establish a standard or standards of strength and
4 quality, to be demonstrated by physical, chemical, or other tests within
5 the limits of reasonable variations. In every instance the materials
6 shall be so described in the specifications, either by standard or
7 quality, to permit genuine competition between contractors so that there
8 may be two or more bids by individuals or companies in no manner
9 connected with each other and no material shall be specified which shall
10 not be subject to such competition.

11 Sec. 112. Section 15-708, Reissue Revised Statutes of Nebraska, is
12 amended to read:

13 15-708 If in any city of the primary class there shall be any real
14 estate belonging to any county, school district, municipal or quasi-
15 municipal corporation, joint public agency, cemetery association, library
16 board, or other public board or association, abutting upon the street,
17 streets, alley, alleys, public way, or public grounds proposed to be
18 improved, the proper officer or officers having control and jurisdiction
19 over such real estate, or authorized to purchase, lease, hold, or convey
20 real estate, shall have power to sign a petition for paving, repaving,
21 curbing, recurbing, grading, changing grade, guttering, resurfacing,
22 relaying existing pavement, or otherwise improving any street, streets,
23 alley, alleys, public way, or public grounds or improvement districts.
24 When such improvements have been ordered, it shall be the duty of the
25 governing body ~~county board of education, library board, cemetery~~
26 ~~trustees or other proper officers~~ controlling and having jurisdiction
27 over such said real estate benefited by such said improvement, to pay
28 such special taxes or assessments, or its proportionate share of the cost
29 of such said improvements, ÷ and in event of neglect or refusal so to do,
30 the city may recover the amount of such special taxes or assessments, or
31 proportionate share of the cost, in any proper action, and the judgment

1 thus obtained may be enforced in the usual manner.

2 Sec. 113. Section 15-709, Revised Statutes Cumulative Supplement,
3 2018, is amended to read:

4 15-709 The city council of a city of the primary class may order the
5 owner of lots abutting on a street that is to be paved to lay sewer, gas,
6 and water service pipes to connect mains. If the owner fails to lay such
7 pipes, after five days' notice by publication in a legal newspaper in or
8 of general circulation in the city, or in place thereof by personal
9 service of such notice, as the city council in its discretion may direct,
10 the city council may cause the sewer, gas, and water service pipes to be
11 laid as part of the work of the improvement district and assess the cost
12 thereof on the property of such owner as a special assessment. Such
13 assessment to pay the cost of the pavement or improvements in the
14 improvement district shall be collected and enforced as a special
15 assessment.

16 Sec. 114. Section 15-713, Revised Statutes Cumulative Supplement,
17 2018, is amended to read:

18 15-713 To pay the cost of curbing and guttering public ways in a
19 city of the primary class, the city council may issue bonds called
20 curbing gutter bonds, district No., payable in not more than
21 twenty years or at the option of the city at any interest-paying date,
22 and assess the cost, not exceeding the special benefits, on abutting
23 property as special assessments. Such assessments shall become due,
24 delinquent, draw interest, and be subject to like penalty and collected
25 as special assessments and shall constitute a sinking fund for the
26 payment of such bonds. No paving bonds and no curbing gutter bonds shall
27 be sold or delivered until necessary to make payments for work done on
28 such improvements.

29 Sec. 115. Section 15-717, Reissue Revised Statutes of Nebraska, is
30 amended to read:

31 15-717 The city council of a city of the primary class shall have

1 the power to lay off the city into suitable districts for the purpose of
2 establishing a system of sewerage and drainage, ~~and~~ to provide such system
3 and regulate the construction, repairs, and use of sewers and drains, and
4 to provide penalties for any obstruction of, or injury to, any sewers or
5 drains, and for any violation of the rules and regulations with respect
6 thereto that may be prescribed by the city council. The city council
7 shall have the power to create sewer districts by ordinance and designate
8 the property to be benefited by the construction of sewers in such
9 districts. The city council shall have the power to construct or cause to
10 be constructed such sewer or sewers in such district or districts and
11 assess the cost thereof against the property in such districts, to the
12 extent of the special benefits.

13 Sec. 116. Section 15-718, Revised Statutes Cumulative Supplement,
14 2018, is amended to read:

15 15-718 Special assessments may be levied by the city council of a
16 city of the primary class for the purpose of paying the cost of
17 constructing ~~such~~ sewers and drains as provided in section 15-717 within
18 ~~the city~~. Such assessments shall be levied upon the real estate within
19 the sewerage districts in which such sewer or drain may be, to the extent
20 of benefits to such property by reason of such improvements. The benefits
21 to such property shall be determined by the city council as in other
22 cases of special assessments. All assessments made for sewerage or
23 drainage purposes shall be levied and collected as special assessments.

24 Sec. 117. Section 15-720, Reissue Revised Statutes of Nebraska, is
25 amended to read:

26 15-720 The mayor and city council of a city of the primary class may
27 issue sewer district bonds to cover the cost of the work of constructing
28 sewers in sewer districts, and the special assessment levied on account
29 of such work shall constitute a sinking fund for the payment of such
30 bonds.

31 Sec. 118. Section 15-724, Reissue Revised Statutes of Nebraska, is

1 amended to read:

2 15-724 The mayor and city council of a city of the primary class may
3 by ordinance purchase and own grounds for and ~~7~~ erect and establish
4 market houses and market places, regulate and govern such market houses
5 and market places ~~the same~~, and prescribe the fees to be charged persons
6 for stalls therein. Any ~~;~~ ~~Provided~~, the revenue from such fees ~~so derived~~
7 shall be applied (1) to the payment of the salaries of the officers
8 appointed to take charge of such said market house or market place, (2)
9 to the payment of repairs of the market house or market place, and (3) to
10 the payment of the cost of erecting such said market house or market
11 place. After all salaries, repairs, ~~and~~ costs of construction have been
12 paid, the surplus, if any remaining, shall be disposed of as the city
13 council shall direct. The mayor and city council may contract with any
14 person or persons, or association of persons, companies, ~~or~~ corporations,
15 for the erection and regulation of such said market house or ~~and~~ market
16 place on such terms and conditions and in such manner as the city council
17 may prescribe, and raise all necessary revenue therefor as ~~herein~~
18 provided in this section. The mayor and city council They may locate
19 market houses or ~~and~~ market places ~~and buildings aforesaid~~ on any street,
20 alley, ~~or~~ public ground, or any land purchased for such purpose, and
21 provide for the erection of all other useful and necessary buildings for
22 the use of the city and for the protection and safety of all property
23 owned by the city, except that ~~;~~ ~~Provided~~, any such improvement, costing
24 in the aggregate a sum greater than five hundred dollars, shall not be
25 authorized until the ordinance providing for such improvement ~~therefor~~
26 shall be first submitted to and ratified by a majority of the legal
27 voters of such city ~~thereof~~.

28 Sec. 119. Section 15-725, Reissue Revised Statutes of Nebraska, is
29 amended to read:

30 15-725 Special tax assessments to pay the cost of public local
31 improvements in a city of the primary class, except special assessments

1 for sidewalk purposes or as ~~herein~~ otherwise provided by law, shall be
2 made in the ~~manner~~ following manner: (1) Assessment shall be made on the
3 improvement district by resolution of the city council at any meeting,
4 stating the cost of the improvement and benefit accruing to the property
5 in the district to be taxed, ~~which, with the vote by yeas and nays,~~ shall
6 be recorded in the minutes. The city council ~~Therewith~~ shall submit be
7 ~~submitted~~ a proposed distribution of the tax on each separate property to
8 be taxed ~~subject to action of the board of equalization as provided in~~
9 the resolution, prescribed therein; and (2) notice of the board of
10 equalization meeting time of assessment shall be published, in a legal
11 ~~some newspaper in or published and~~ of general circulation in the city,
12 ten days before the meeting assessment, and the notice shall include that
13 the city council will sit as a board of equalization ~~to distribute the~~
14 ~~tax at the~~ a time fixed in such notice ~~fixed~~, not less than five days
15 after such assessment, and the proper distribution of such special tax
16 shall be open to examination of all persons interested. Property shall
17 not be specially taxed for more than the total cost of the improvement
18 nor more than the special benefit accruing thereto by the improvement. If
19 the aggregate tax be less than the cost of improvement, the excess shall
20 be paid from the general fund. Special taxes may be assessed as the
21 improvement progresses and as soon as completed in front of or along
22 property taxed, or when the whole is complete, as the city council shall
23 determine. Special assessments for local benefits shall be a lien on all
24 property so specially benefited superior and prior to all other liens
25 save general taxes or other special assessments and equal therewith. If
26 any special assessment be declared void, or doubt of its validity exist,
27 the mayor and city council, to pay the cost of improvement, may make a
28 reassessment thereof on the property original estate within the district,
29 and any sums paid on the original special assessment shall be credited to
30 the property on which it was paid and any excess refunded to the owner
31 paying it, with lawful interest. Taxes reassessed and not paid shall be

1 enforced and collected as other special taxes. No special tax or
2 assessment which the mayor and city council acquire jurisdiction to make
3 shall be void for any irregularity, defect, error, or informality in
4 procedure, in levy or equalization thereof.

5 Sec. 120. Section 15-726, Reissue Revised Statutes of Nebraska, is
6 amended to read:

7 15-726 When any special tax, except sidewalk tax, is levied in a
8 city of the primary class, it shall be the duty of the city clerk to
9 issue a certificate describing such lot or piece of ground by number and
10 block, ~~and~~ stating the amount of special tax levied thereon and the
11 purpose for which such tax was levied, and stating when such tax ~~the same~~
12 shall become due and delinquent. The city clerk ~~He~~ shall forthwith
13 deliver a duplicate of such certificate to the city treasurer, who shall,
14 without delay, give at least five days' notice through publication in a
15 legal newspaper published in or of general circulation in the city, of
16 the time when such tax will become delinquent. To every such certificate
17 the city clerk shall append a warrant in the usual form, requiring such
18 city treasurer to collect such special tax or taxes by distress and sale
19 of goods and chattels of the person, persons, or bodies corporate owing
20 any such special tax or taxes, if such special tax or taxes are the same
21 ~~be~~ not paid before the time fixed for such special tax or taxes ~~the same~~
22 to become delinquent. The city treasurer shall make his or her return of
23 such warrants with a report of his or her doings thereunder on or before
24 the fifteenth day of July next thereafter.

25 Sec. 121. Section 15-727, Reissue Revised Statutes of Nebraska, is
26 amended to read:

27 15-727 It shall be sufficient in any case involving a special tax
28 assessment in a city of the primary class to describe the lot or piece of
29 ground as such lot or piece of ground ~~the same~~ is platted or recorded,
30 although such lot or piece of ground belongs ~~the same belong~~ to several
31 persons, but in case any lot or piece of ground belongs ~~belong~~ to

1 different persons, the owner of any part thereof may pay his or her
2 portion of the tax on such lot or piece of ground, and his or her proper
3 share may be determined by the city treasurer.

4 Sec. 122. Section 15-728, Reissue Revised Statutes of Nebraska, is
5 amended to read:

6 15-728 When any public improvement in a city of the primary class is
7 completed according to contract, it shall be the duty of the city
8 engineer to carefully inspect such improvement ~~the same~~, and if the
9 improvement is found to be properly done, such city engineer shall accept
10 the improvement same and forthwith report his or her acceptance thereof
11 to the city council with recommendation that the improvement same be
12 approved or disapproved, and the city council may confirm or reject such
13 acceptance. When the ordinance levying the tax makes such tax ~~the same~~
14 due as the improvement is completed in front of or along any block or
15 piece of ground, the city engineer may accept the improvement same in
16 sections from time to time, if found to be done according to the
17 contract, reporting his or her acceptance as in other cases.

18 Sec. 123. Section 15-729, Reissue Revised Statutes of Nebraska, is
19 amended to read:

20 15-729 A city of the primary class may authorize or permit the use
21 of its roads, streets, highways, alleys, or other public rights-of-way
22 for street railway systems. All street railway companies in any city of
23 the primary class shall be required to pave, repave or repair between and
24 to one foot beyond their outer rails. In case any such railway uses more
25 than one track in any street, it shall pave, repave or repair between
26 tracks and to one foot beyond the outer rails where such company owns, at
27 its own cost. Whenever any street shall be ordered paved or repaved by
28 the mayor and council of the city, such paving or repaving shall be done
29 at the same time and shall be of the same material and character as the
30 paving or repaving of the street upon which such railway track is
31 located, unless other material be specially ordered by the mayor and

1 ~~council of the city. Such street railway companies shall be required to~~
2 ~~keep that portion of the streets required by them to be paved, repaved or~~
3 ~~repaired, in repair, using for said purpose the same material as the~~
4 ~~streets upon which the track is laid at the point of repair, or such~~
5 ~~other material as the mayor and council may require and order upon~~
6 ~~streets in such city.~~

7 Sec. 124. Section 15-734, Reissue Revised Statutes of Nebraska, is
8 amended to read:

9 15-734 The owner of property abutting on public streets in a city of
10 the primary class is hereby primarily charged with the duty of keeping
11 and maintaining the sidewalks on such property ~~thereon~~ in a safe and
12 sound condition, ~~and~~ free from snow, ice, and other obstructions. Upon a
13 failure to so keep and maintain such sidewalks, and ; and in default
14 thereof, upon notice to such abutting property owner as hereinafter
15 provided in this section, such abutting property owner shall be liable
16 for injuries or damages sustained by reason of such failure ~~thereof.~~ Such
17 ~~The~~ city is given general charge, control, and supervision of the streets
18 and sidewalks ~~thereof,~~ and is required to cause to be maintained or
19 maintain the same in a reasonably safe condition. The city ~~It~~ is given
20 full power to require owners of abutting property to keep and maintain
21 the sidewalks of such property ~~thereof~~ in a safe and sound condition and
22 free from snow, ice, and other obstructions, ~~and~~ to require such abutting
23 property owners to construct and maintain the sidewalks of such material
24 and of such dimensions and upon such grade as may be determined by the
25 city council. In case such abutting property owner refuses or neglects,
26 after five days' notice by publication in a legal newspaper in or of
27 general circulation in such city, or in place thereof, by personal
28 service of such notice, to so construct or maintain such sidewalk, the
29 city through the proper officers may construct or repair such sidewalk or
30 cause such sidewalk ~~the same~~ to be constructed or repaired, and report
31 the cost of such construction or repairs ~~thereof~~ to the city council,

1 whereupon the city council shall assess such costs ~~the same~~ against such
2 abutting property. The city council may receive bids for constructing or
3 repairing any or all such sidewalks ~~walks~~, and may let contracts to the
4 lowest responsible bidders for constructing or repairing such sidewalks
5 ~~the same~~. The contractor or contractors shall be paid for such contracts
6 ~~therefor~~ from special assessments against the abutting property. The cost
7 of constructing, replacing, repairing, or grading thereof shall be
8 assessed at a regular city council meeting by resolution, fixing the cost
9 along abutting property as a special assessment against such property;
10 and the amount charged or the cost thereof, ~~with the vote by yeas and~~
11 ~~nays~~, shall be recorded in spread ~~upon~~ the minutes. Notice of the time of
12 such meeting of the city council and its purpose shall be published once
13 in a legal newspaper in or published ~~and~~ of general circulation in the
14 city at least five days before the meeting of the city council is to be
15 held, or, in place thereof, personal notice may be given to such abutting
16 property owners. Such special assessment shall be known as special
17 sidewalk assessments, and together with the cost of notice, shall be
18 levied and collected as special assessments ~~taxes~~ in addition to the
19 general revenue taxes, and shall be subject to the same penalties and
20 shall draw interest at a rate not to exceed the rate of interest
21 specified in section 45-104.01, as such rate may from time to time be
22 adjusted by the Legislature, from the date of the levy thereof until
23 satisfied.

24 Sec. 125. Section 15-735, Reissue Revised Statutes of Nebraska, is
25 amended to read:

26 15-735 Special sidewalk assessments assessed as provided in section
27 15-734 may be collected:

28 (1) In the manner usual for the collection or foreclosure of county
29 ~~or state~~ taxes against real estate;

30 (2) By foreclosure as in case of county ~~or state~~ taxes against real
31 estate. In ; ~~Provided, however, in~~ the foreclosure of such special

1 sidewalk assessments, any number of parties, owners of abutting property
2 against which property a special sidewalk assessment has been made, may
3 be made parties defendant, and any number of special sidewalk assessments
4 may be foreclosed in one action, the decree, however, to be separate as
5 to each particular piece of abutting property against which such special
6 sidewalk assessments have been levied. ~~A ; and provided further, a~~
7 certified copy by the city clerk of the action of the city council in
8 making such special sidewalk assessments shall be received in evidence as
9 prima facie evidence of the regularity of all proceedings in the matter
10 of making and levying such special sidewalk assessments, and such special
11 sidewalk assessments shall constitute a lien prior and superior to all
12 other liens except liens for taxes or other special assessments upon such
13 abutting property. ~~In ; and provided further, in~~ the foreclosure of such
14 special assessments, the action may be brought in the name of the city
15 against any and all parties subject to the payment of such special
16 sidewalk assessments in one or more actions, and the city may become a
17 purchaser thereof for an amount not exceeding the amount of the special
18 sidewalk assessment, ~~and interest and penalties thereon; or~~

19 (3) The city clerk, upon the request of the city council, shall,
20 under seal of the city, make out a statement containing a description of
21 the property against which special sidewalk assessments are delinquent,
22 the amount of such special sidewalk assessments, together with interest
23 and penalties thereon, the name of the owner of such abutting property at
24 the time of the levy, and the date of the levy, and shall transmit the
25 same to the clerk of the district court. ~~Upon ; and upon~~ request of the
26 city the clerk of the district court shall issue an order of sale of such
27 abutting property and deliver the same to the county sheriff, who shall
28 thereupon cause such property to be advertised and sold as in case of
29 sale of real estate under judgment and execution, except that it shall
30 not be necessary for the county ~~said~~ sheriff to cause such property to be
31 appraised. ~~Upon ; upon~~ sale the county sheriff shall report the sale

1 thereof to the district court for confirmation.

2 Sec. 126. Section 15-751, Reissue Revised Statutes of Nebraska, is
3 amended to read:

4 15-751 (1) Any county and any city of the primary class, which is
5 the county seat of such county ~~thereof~~, shall have the power to join with
6 each other and with other political or governmental subdivisions,
7 agencies, or public corporations whether federal, state, or local, or
8 with any number of combinations thereof, by contract or otherwise in the
9 joint ownership, operation, or performance of any property, facility,
10 power, or function, or in agreements containing the provisions that one
11 or more thereof operate or perform for the other or others. Any such
12 county and any such city shall also have the power to authorize and
13 undertake research, formulate plans, draft and seek the enactment of
14 legislation, take other actions concerning improvement of the
15 relationships between themselves or between each of them and other
16 political or governmental subdivisions, agencies, or public corporations,
17 whether federal, state, or local, for the attainment of voluntary
18 cooperation agreements, annexations, transfers of functions to or from
19 such city, or to or from such county, or city-county consolidation or
20 separation, or any other means of accomplishing changes in governmental
21 organization in which such city or such county has an interest. Such city
22 and such county may undertake such efforts alone or in concert with other
23 political or governmental subdivisions, agencies, or public corporations,
24 whether federal, state, or local, or with public or private research or
25 professional organizations. Such city and such county may appropriate and
26 spend money for such purposes.

27 (2) Any officer or employee, whether elected or appointed, of any
28 county, may also simultaneously be and serve as an officer or employee of
29 any such city of the primary class, referred to in subsection (1) of this
30 section, which is the county seat of the county where such duties are not
31 incompatible. Any officer or employee, whether elected or appointed, of a

1 city of the primary class which is the county seat of a county may also
2 simultaneously be and serve as an officer or employee of the county of
3 which such ~~said~~ city is the county seat where such duties are not
4 incompatible, except ~~;~~ ~~Provided~~, that this provision shall not apply to
5 or cover the county board of such county or the mayor or members of the
6 city council of such city.

7 Sec. 127. Section 15-752, Reissue Revised Statutes of Nebraska, is
8 amended to read:

9 15-752 Any action authorized under section 15-751 shall be taken
10 only upon the affirmative vote of a majority of the county board of the
11 ~~commissioners of such county in which a city of the primary class is the~~
12 county seat or a majority of the members of the city council and mayor of
13 such city, and when such action is taken by such governing body, it shall
14 be binding upon all officers and employees of such county or such city.

15 Sec. 128. Section 15-753, Reissue Revised Statutes of Nebraska, is
16 amended to read:

17 15-753 The city council of a city of the primary class shall have
18 the power to create ornamental lighting districts for the purpose of
19 acquiring and installing ornamental lights, including poles, fixtures,
20 wiring, underground conduits, and all necessary equipment and
21 accessories, in or along any street, streets, public grounds, or public
22 way or ways, within the city. All such districts shall be known as
23 ornamental lighting districts and shall be created by ordinance which
24 shall designate the property within the district to be benefited. The
25 city shall have the power to advertise for bids for the installation,
26 construction, and equipment for such ornamental lights therefor, and to
27 contract with the lowest responsible bidder therefor as authorized in its
28 home rule charter. The cost of such ornamental lights thereof may be, in
29 whole or in part, assessed proportionately to the benefits on the
30 property specially benefited, and the city council shall have the power
31 and authority to fix the period of time for the payment of the special

1 assessments, and to issue bonds, as authorized by its ~~the~~ home rule
2 charter.

3 Sec. 129. Section 15-754, Reissue Revised Statutes of Nebraska, is
4 amended to read:

5 15-754 The city council of a city of the primary class shall have
6 the power by ordinance to create public improvement districts for
7 opening, widening, or enlarging of any street, alley, boulevard, or
8 public way or the establishing or enlarging of any park or parkway within
9 the city. Such special improvement district having been created, the city
10 may acquire ~~require~~, by agreement, purchase, condemnation, or otherwise,
11 the necessary lands, lots, or grounds to carry out the purposes of the
12 district. The cost thereof may be, in whole or in part, assessed
13 proportionate to benefits, on the property specially benefited. The city
14 council shall have power and authority to fix the period of time for the
15 payment of the special assessments, and to issue bonds, as authorized by
16 its ~~the~~ home rule charter.

17 Sec. 130. Section 15-807, Reissue Revised Statutes of Nebraska, is
18 amended to read:

19 15-807 The city council of a city of the primary class shall
20 constitute the board of equalization for the city, and shall have power
21 as such board to equalize all taxes and assessments, to correct any
22 errors in the listing or valuation of property, and to supply any
23 omissions in the same. A majority of all the members elected to the city
24 council shall constitute a quorum for the transaction of business
25 properly before the board, but a less number may adjourn from time to
26 time and compel the attendance of absent members. When sitting as a board
27 of equalization on general or special taxes, the city council may adopt
28 rules and regulations as to the manner of presenting complaints and
29 applying for relief. The city council ~~It~~ shall not invalidate or
30 prejudice the proceedings of the board that a majority of the members
31 thereof after organization as a board do not in fact continue present

1 during the advertised hours for the sitting of such board, as long as ÷
2 ~~Provided, however,~~ the city clerk and some member of the board shall be
3 present to receive complaints or applications for relief. No final action
4 shall be taken with respect to any taxes or assessments by the board
5 until a majority of the members of the city council sitting as a board of
6 equalization shall be present and in open session.

7 Sec. 131. Section 15-808, Reissue Revised Statutes of Nebraska, is
8 amended to read:

9 15-808 The city council of a city of the primary class sitting as a
10 board of equalization shall hold a session of not less than three or more
11 than thirty days annually commencing on the first Tuesday after the third
12 Monday in June and shall have power:

13 (1) To assess any taxable property, real and personal, not assessed;

14 (2) To review assessments made and correct such assessments ~~the same~~
15 as appears to be just. The board shall not increase the assessment of any
16 person, partnership, limited liability company, or corporation until such
17 person, partnership, limited liability company, or corporation has been
18 notified by the board to appear and show cause, if any, why the
19 assessment should not be increased. If personal service of such notice
20 cannot be made in the city, notice may be given by publication and it
21 shall be sufficient if such notice is published in one issue of a legal
22 newspaper in or ~~daily paper~~ of general circulation within the city; and

23 (3) To equalize the assessments of all taxable property in the city
24 and to correct any errors in the listing or value thereof. The city
25 council sitting as a board of equalization shall be authorized and
26 empowered to meet at any time for the purpose of equalizing assessment of
27 any omitted or undervalued property and to add to the assessment rolls
28 any taxable property not included.

29 Sec. 132. Section 15-809, Reissue Revised Statutes of Nebraska, is
30 amended to read:

31 15-809 The city council of a city of the primary class shall act as

1 a board to equalize all special assessments, except for sidewalks
2 affecting single properties, before special taxes for local improvements
3 be finally levied, distributed, and apportioned, and to correct any
4 errors therein, upon notice as provided in this section ~~herein~~. The board
5 shall be in session not less than two hours on two successive days, and
6 until it hears all complaints owners may make to the proposed
7 distribution and levy of the tax, and shall equalize the tax and correct
8 errors therein. If by reduction of the amount charged on any property it
9 is necessary to increase the proposed amount upon other property, the
10 owner shall be notified in person or at his or her residence, or by five
11 days' publication in a legal newspaper in or of general circulation in
12 the city if not a resident, or if changes are many, another distribution
13 may be submitted by any member or any owner interested, and notice by
14 five days' publication in a legal newspaper in or of general circulation
15 in the city be given of a second session for equalization, at which time
16 the equalization shall be completed.

17 Sec. 133. Section 15-810, Reissue Revised Statutes of Nebraska, is
18 amended to read:

19 15-810 The city council of a city of the primary class or any
20 committee of the members thereof or the city council, when sitting as a
21 board of equalization, shall have the power to compel the attendance of
22 witnesses for the investigation of matters that may come before such city
23 council or committee ~~them~~, and the presiding officer of the city council
24 or chairperson ~~chairman~~ of such committee, for the time being, may
25 administer the requisite oaths. Such city ~~, and such~~ council or committee
26 of the members thereof or the city council, when sitting as a board of
27 equalization, shall have the same authority to compel the giving of
28 testimony as is conferred on courts of justice.

29 Sec. 134. Section 15-811, Reissue Revised Statutes of Nebraska, is
30 amended to read:

31 15-811 If for any reason any taxable property in a the city of the

1 ~~primary class escapes shall escape~~ taxation in any year, it shall be the
2 duty of the city council when sitting as a board of equalization in any
3 subsequent year to assess such property at a fair valuation for the year
4 or years for which such property should have been assessed, and to levy
5 thereon under such assessment a tax at the same rate and upon the same
6 basis that other taxable property was assessed for the year in which such
7 property escaped taxation, which tax and levy shall be in addition to all
8 current or other taxes on the same property.

9 Sec. 135. Section 15-812, Reissue Revised Statutes of Nebraska, is
10 amended to read:

11 15-812 As soon as the assessment roll ~~has shall have~~ been equalized,
12 and the annual levy made on such assessment roll in a city of the primary
13 class thereon, the city clerk shall immediately make out a tax list,
14 which shall be as nearly as practicable in the form prescribed by law for
15 the tax list to be furnished county treasurers, and the city clerk he
16 shall deliver such tax list to the city treasurer on or before the first
17 day of October next after the date of the levy in each year. Errors in
18 the name of persons assessed may be corrected by the city treasurer and
19 the tax collected from the person intended, and in case the city
20 treasurer finds that any land has been omitted in the assessment, the
21 city treasurer he shall report that fact to the city council, who may
22 assess the same and direct the correction of the tax list as provided in
23 this section and in section 15-811.

24 Sec. 136. Section 15-813, Reissue Revised Statutes of Nebraska, is
25 amended to read:

26 15-813 To each tax list so delivered as provided in section 15-812,
27 a warrant under the hand of the city clerk of the city of the primary
28 class shall be annexed, to be substantially in the following form:

29 In the name and by the authority of the State of Nebraska:
30 To city treasurer of the city of in
31 Nebraska;

1 manner as in case of sale for delinquent county taxes.

2 Sec. 139. Section 15-817, Reissue Revised Statutes of Nebraska, is
3 amended to read:

4 15-817 The mayor and city council of a city of the primary class
5 shall have full power and authority to pass ordinances not inconsistent
6 with the laws of this state which they may deem necessary to secure a
7 speedy and thorough collection of all municipal taxes and special
8 assessments.

9 Sec. 140. Section 15-818, Reissue Revised Statutes of Nebraska, is
10 amended to read:

11 15-818 All municipal taxes and special assessments in ~~a the city of~~
12 the primary class shall be paid in money cash, or in warrants of the city
13 drawn on the fund for which the same is offered, except that ; ~~Provided,~~
14 coupons on any bonds of the city shall be received in payment of taxes or
15 special assessments.

16 Sec. 141. Section 15-819, Reissue Revised Statutes of Nebraska, is
17 amended to read:

18 15-819 Taxes assessed upon personal property in ~~a the city of the~~
19 primary class shall be a lien upon the personal property of the person,
20 partnership, limited liability company, or corporation assessed from and
21 after the time the tax books are received by the city treasurer. Such
22 lien shall be prior and superior to all other liens thereon except liens
23 for taxes.

24 Sec. 142. Section 15-821, Reissue Revised Statutes of Nebraska, is
25 amended to read:

26 15-821 Special assessments on real estate in a city of the primary
27 class shall be a lien from the date of the levy, and interest on all
28 unpaid installments shall be payable annually. Such lien shall be
29 perpetual and superior to all other liens upon the property except liens
30 for taxes. In case of sale of any property for such tax or special
31 assessment, the sale ~~same~~ shall be governed by the general revenue law,

1 except as ~~herein~~ otherwise provided by law, and the rights and
2 limitations shall be the same as in other tax sales. ~~Each ; Provided,~~
3 ~~each~~ installment shall draw interest at a rate not to exceed the rate of
4 interest specified in section 45-104.01, as such rate may from time to
5 time be adjusted by the Legislature, payable annually, from levy until
6 due; and installments delinquent shall draw interest at the rate
7 specified in section 45-104.01, as such rate may from time to time be
8 adjusted by the Legislature, until paid.

9 Sec. 143. Section 15-822, Reissue Revised Statutes of Nebraska, is
10 amended to read:

11 15-822 The city council of a city of the primary class shall have
12 the power, in all cases where special assessments for any purpose have or
13 may be declared void or invalid for want of jurisdiction in making or
14 levying such special assessments, or on account of any defect or
15 irregularity in the manner of levying such special assessments ~~the same~~,
16 or for any cause whatever, to reassess and relevy a new assessment equal
17 to the special benefits or not to exceed the cost of the improvement for
18 which the assessment was made upon the property originally assessed, and
19 such assessment so made shall constitute a lien upon the property prior
20 and superior to all other liens except liens for taxes or other special
21 assessments. ~~In ; Provided, in~~ all cases under the provisions of this
22 section, the city council before making any such reassessment or relevy
23 of special taxes or assessments shall give five days' notice in a legal
24 newspaper in or published ~~and~~ of general circulation in the city of the
25 time when the city council will meet to determine the matter of
26 reassessing or relevying all such special assessments.

27 Sec. 144. Section 15-823, Reissue Revised Statutes of Nebraska, is
28 amended to read:

29 15-823 All taxes levied for the purpose of raising money to pay
30 interest or to create a sinking fund for the payment of the principal of
31 any funded or bonded debt of a city of the primary class ~~the city~~ shall

1 be payable in money only, and except as otherwise expressly provided, no
2 money so obtained shall be used for any other purpose than the payment of
3 the interest or debt for the payment of which they shall have been
4 raised. Such ; ~~Provided,~~ such sinking fund may, under the direction of
5 the mayor and city council, be invested in any of the underdue bonds
6 issued by the city, if the bonds ~~provided they~~ can be secured by the city
7 treasurer at such rate or premiums as shall be prescribed by ordinance.
8 Any due or overdue coupon or bond shall be a sufficient warrant or order
9 for the payment of the coupon or bond same out of any fund specially
10 created for that purpose, without any further order or allowance by the
11 mayor or city council.

12 Sec. 145. Section 15-824, Reissue Revised Statutes of Nebraska, is
13 amended to read:

14 15-824 Irregularities in making assessments and returns thereof, in
15 the equalization of assessments, and in the mode and manner of
16 advertising the sale of any property shall not invalidate or affect the
17 sale thereof when advertised and sold for delinquent city taxes and
18 special assessments in a city of the primary class as provided by law, as
19 ~~herein provided~~; nor shall the sale of any real estate or any such tax or
20 assessment be invalid on account of such real estate having been listed
21 in the name of any other person than that of the rightful owner.

22 Sec. 146. Section 15-834, Reissue Revised Statutes of Nebraska, is
23 amended to read:

24 15-834 No bonds issued by ~~a~~ the city of the primary class which are
25 general obligation bonds shall be sold for less than par or face value.
26 All such bonds may contain such provisions with respect to their
27 redemption as the city shall provide. There shall be no tax levy to pay
28 more than the interest upon such bonds until the year before they become
29 due, and then only so much as is needed to meet the bonds maturing the
30 year after.

31 Sec. 147. Section 15-835, Reissue Revised Statutes of Nebraska, is

1 amended to read:

2 15-835 All money received from any special assessments in a city of
3 the primary class shall be held by the city treasurer as a special fund
4 to be applied to the payment of the improvement for which the assessment
5 was made, and such money shall be used for no other purpose. Any ÷
6 ~~Provided, however, any~~ surplus remaining in any such fund after all
7 obligations against the same shall have been satisfied, may be
8 transferred to any other fund by order of the city council.

9 Sec. 148. Section 15-840, Reissue Revised Statutes of Nebraska, is
10 amended to read:

11 15-840 All liquidated and unliquidated claims and accounts payable
12 against ~~a the~~ city of the primary class shall: (1) Be presented in
13 writing; (2) state the name of the claimant and the amount of the claim;
14 and (3) fully and accurately identify the items or services for which
15 payment is claimed or the time, place, nature, and circumstances giving
16 rise to the claim. The city finance director shall be responsible for the
17 preauditing and approval of all claims and accounts payable, and no
18 warrant in payment of any claim or account payable shall be drawn or paid
19 without such approval. In order to maintain an action for a claim, other
20 than a tort claim as defined in section 13-903, it shall be necessary, as
21 a condition precedent, that the claimant file such claim within one year
22 of the accrual of such claim thereof, in the office of the city clerk, or
23 other official whose duty it is to maintain the official records of a
24 ~~primary-class~~ city of the primary class.

25 Sec. 149. Section 15-841, Reissue Revised Statutes of Nebraska, is
26 amended to read:

27 15-841 Any taxpayer of ~~a the~~ city of the primary class, after the
28 allowance in whole or in part of any liquidated or unliquidated claim, or
29 the claimant, after the disallowance in whole or in part of any such
30 claim, may appeal therefrom to the district court of the county in which
31 the city is situated in accordance with the procedures set forth in

1 sections 15-1201 to 15-1205. In an appeal by a taxpayer in case the
2 claimant finally recovers judgment for as great a sum exclusive of
3 interest as was allowed by the city council, such appellant shall pay all
4 costs of such appeal. In an appeal by a claimant in case claimant fails
5 to recover as great a sum exclusive of interest as was allowed by the
6 city council, such claimant shall pay all costs. No warrant shall issue
7 for the payment of any such claim until the appeal is finally determined.
8 No appeal bond shall be required of the city by any court in case of
9 appeal by the city, and judgment shall be stayed pending such appeal.

10 Sec. 150. Section 15-842.01, Reissue Revised Statutes of Nebraska,
11 is amended to read:

12 15-842.01 No bond for costs, appeal, supersedeas, injunction, or
13 attachment shall be required of any city of the primary class or of any
14 officer, board, commission, head of any department, agent, or employee of
15 any such city in any proceeding or court action in which such said city
16 ~~of the primary class~~ or officer, board, commission, head of department,
17 agent, or employee is a party litigant in its, ~~or~~ his, or her official
18 capacity.

19 Sec. 151. Section 15-845, Reissue Revised Statutes of Nebraska, is
20 amended to read:

21 15-845 The city treasurer of a city of the primary class shall
22 deposit and at all times keep on deposit for safekeeping in the banks, in
23 the capital stock financial institutions, ~~in the~~ qualifying mutual
24 financial institutions, or any of such banks or institutions in some of
25 ~~them~~ doing business in such city of approved and responsible standing all
26 money collected, received, or held by him or her as ~~such~~ city treasurer.
27 Any such bank, capital stock financial institution, or qualifying mutual
28 financial institution located in the city may apply for the privilege of
29 keeping such money or any part thereof upon the following conditions: (1)
30 All such deposits shall be subject to payment when demanded by the city
31 treasurer; and (2) such deposits shall be subject to all regulations

1 imposed by law or adopted by the city for the receiving and holding
2 thereof. The fact that a stockholder, director, or other officer of such
3 bank, capital stock financial institution, or qualifying mutual financial
4 institution shall also be serving as mayor, as a member of the city
5 council, or as any other officer of such city municipality shall not
6 disqualify such bank, capital stock financial institution, or qualifying
7 mutual financial institution from acting as a depository for such
8 municipal funds. Section 77-2366 shall apply to deposits in capital stock
9 financial institutions. Section 77-2365.01 shall apply to deposits in
10 qualifying mutual financial institutions.

11 Sec. 152. Section 15-848, Reissue Revised Statutes of Nebraska, is
12 amended to read:

13 15-848 The city treasurer of a city of the primary class shall not
14 have on deposit in any bank, capital stock financial institution, or
15 qualifying mutual financial institution at any time more than the maximum
16 amount of the bond given by such bank, capital stock financial
17 institution, or qualifying mutual financial institution if the bank,
18 capital stock financial institution, or qualifying mutual financial
19 institution gives a surety bond, nor in any bank, capital stock financial
20 institution, or qualifying mutual financial institution giving a personal
21 bond, more than one-half of the amount of the bond of such bank, capital
22 stock financial institution, or qualifying mutual financial institution.
23 The amount on deposit plus accretions at any time with any such bank,
24 capital stock financial institution, or qualifying mutual financial
25 institution shall not in either case exceed the paid-up capital stock and
26 surplus of such bank, capital stock financial institution, or qualifying
27 mutual financial institution. The city treasurer shall not be liable for
28 any loss sustained by reason of the failure of any such bonded depository
29 whose bond shall have been duly approved by the city attorney as provided
30 by section 15-846 or which has, in lieu of a surety bond, given security
31 as provided by section 15-847. Section 77-2366 shall apply to deposits in

1 capital stock financial institutions. Section 77-2365.01 shall apply to
2 deposits in qualifying mutual financial institutions.

3 Sec. 153. Section 15-901, Reissue Revised Statutes of Nebraska, is
4 amended to read:

5 15-901 (1) Except as provided in section 13-327, the
6 extraterritorial zoning jurisdiction of a city of the primary class shall
7 consist of the unincorporated area three miles beyond and adjacent to its
8 corporate boundaries.

9 (2) No owner of real estate located within the corporate limits of
10 ~~in~~ any city of the primary class or within the extraterritorial zoning
11 jurisdiction three miles of the corporate limits of any city of the
12 primary class, when such real estate is located in the same county as the
13 city and outside of any incorporated or organized city or village, shall be
14 permitted to subdivide, plat, or lay out the real estate in building lots
15 and streets, or other portions of the real estate same intended to be
16 dedicated for public use or for the use of the purchasers or owners of
17 lots fronting thereon or adjacent thereto, without first having obtained
18 approval by the city planning commission and, when applicable, having
19 complied with sections 39-1311 to 39-1311.05. No plat or subdivision of
20 such real estate shall be recorded in the office of the register of deeds
21 or have any force or effect unless such plat or subdivision the same is
22 approved by the city planning commission. A city of the primary class
23 shall have the authority within its corporate limits and extraterritorial
24 zoning jurisdiction the area to regulate the subdivision of land for the
25 purpose, whether immediate or future, of transferring ownership or
26 building development, except that the city shall have no power to
27 regulate subdivision in those instances where the smallest parcel created
28 is more than ten acres in area. A city of the primary class shall have
29 the authority within its corporate limits and extraterritorial zoning
30 jurisdiction the area to prescribe standards for laying out subdivisions
31 in harmony with the comprehensive plan; to require the installation of

1 improvements by the owner, by the creation of public improvement
2 districts, or by requiring a good and sufficient bond guaranteeing
3 installation of such improvements; and to require the dedication of land
4 for public purposes.

5 (3) For purposes of this section, subdivision shall mean the
6 division of a lot, tract, or parcel of land into two or more lots, sites,
7 or other divisions of land for the purpose, whether immediate or future,
8 of ownership or building development, except that the division of land
9 shall not be considered to be subdivision when the smallest parcel
10 created is more than ten acres in area.

11 (4) Subdivision plats in a city of the primary class shall be
12 approved by the city planning commission on recommendation by the city
13 planning director and public works and utilities department. The city
14 planning commission may withhold approval of a plat until the public
15 works and utilities department has certified that the improvements
16 required by the regulations have been satisfactorily installed, until a
17 sufficient bond guaranteeing installation of the improvements has been
18 posted, or until public improvement districts are created. The city
19 council may provide procedures in land subdivision regulations for appeal
20 by any person aggrieved by any action of the city planning commission or
21 city planning director on any plat.

22 Sec. 154. Section 15-902, Reissue Revised Statutes of Nebraska, is
23 amended to read:

24 15-902 (1) Every city of the primary class shall have power within
25 the corporate limits of ~~in the area which is within~~ the city or within
26 the extraterritorial zoning jurisdiction ~~three miles of the corporate~~
27 ~~limits~~ of the city ~~and outside of any organized city or village~~ to
28 regulate and restrict: (a) The location, height, bulk, and size of
29 buildings and other structures; (b) the percentage of a lot that may be
30 occupied; (c) the size of yards, courts, and other open spaces; (d) the
31 density of population; and (e) the locations and uses of buildings,

1 structures, and land for trade, industry, business, residences, and other
2 purposes. Such city shall have power to divide the area zoned into
3 districts of such number, shape, and area as may be best suited to carry
4 out the purposes of this section and to regulate, restrict, or prohibit
5 the erection, construction, reconstruction, alteration, or use of
6 buildings, structures, or land within the total area zoned or within
7 districts. All such regulations shall be uniform for each class or kind
8 of buildings throughout each district, but regulations applicable to one
9 district may differ from those applicable to other districts. Such zoning
10 regulations shall be designed to secure safety from fire, flood, and
11 other dangers and to promote the public health, safety, and general
12 welfare and shall be made with consideration having been given to the
13 character of the various parts of the area zoned and their peculiar
14 suitability for particular uses and types of development and with a view
15 to conserving property values and encouraging the most appropriate use of
16 land throughout the area zoned, in accordance with a comprehensive plan.
17 Such zoning regulations may include reasonable provisions regarding
18 nonconforming uses and their gradual elimination.

19 (2)(a) ~~A~~ The city of the primary class shall not adopt or enforce
20 any zoning ordinance or regulation which prohibits the use of land for a
21 proposed residential structure for the sole reason that the proposed
22 structure is a manufactured home if such manufactured home bears an
23 appropriate seal which indicates that it was constructed in accordance
24 with the standards of the Uniform Standard Code for Manufactured Homes
25 and Recreational Vehicles, the Nebraska Uniform Standards for Modular
26 Housing Units Act, or the United States Department of Housing and Urban
27 Development. The city may require that a manufactured home be located and
28 installed according to the same standards for foundation system,
29 permanent utility connections, setback, and minimum square footage which
30 would apply to a site-built, single-family dwelling on the same lot. The
31 city may also require that manufactured homes meet the following

1 standards:

2 (i) The home shall have no less than nine hundred square feet of
3 floor area;

4 (ii) The home shall have no less than an eighteen-foot exterior
5 width;

6 (iii) The roof shall be pitched with a minimum vertical rise of two
7 and one-half inches for each twelve inches of horizontal run;

8 (iv) The exterior material shall be of a color, material, and scale
9 comparable with those existing in residential site-built, single-family
10 construction;

11 (v) The home shall have a nonreflective roof material which is or
12 simulates asphalt or wood shingles, tile, or rock; and

13 (vi) The home shall have wheels, axles, transporting lights, and
14 removable towing apparatus removed.

15 (b) The city may not require additional standards unless such
16 standards are uniformly applied to all single-family dwellings in the
17 zoning district.

18 (c) Nothing in this subsection shall be deemed to supersede any
19 valid restrictive covenants of record.

20 (3) For purposes of this section, manufactured home shall mean (a) a
21 factory-built structure which is to be used as a place for human
22 habitation, which is not constructed or equipped with a permanent hitch
23 or other device allowing it to be moved other than to a permanent site,
24 which does not have permanently attached to its body or frame any wheels
25 or axles, and which bears a label certifying that it was built in
26 compliance with National Manufactured Home Construction and Safety
27 Standards, 24 C.F.R. 3280 et seq., promulgated by the United States
28 Department of Housing and Urban Development, or (b) a modular housing
29 unit as defined in section 71-1557 bearing a seal in accordance with the
30 Nebraska Uniform Standards for Modular Housing Units Act.

31 Sec. 155. Section 15-905, Revised Statutes Cumulative Supplement,

1 2018, is amended to read:

2 15-905 Every city of the primary class may regulate in the area
3 which is within the corporate limits of the city or within its
4 extraterritorial zoning jurisdiction ~~three miles of the corporate limits~~
5 ~~of the city and outside of any organized city or village~~, except as to
6 construction on farms for farm purposes, (1) the minimum standards of
7 construction of buildings, dwellings, and other structures in order to
8 provide safe and sound condition thereof for the preservation of health,
9 safety, security, and general welfare, which standards may include
10 regulations as to electric wiring, heating, plumbing, pipefitting, sewer
11 connections, ventilation, size of habitable rooms, and the method of
12 constructing buildings, dwellings, and other structures, and to provide
13 for inspection thereof and building permits and fees for such permits,
14 (2) the removal and tearing down of buildings, dwellings, and other
15 structures in such areas which constitute nuisances because of the
16 dilapidated, unsafe, or rundown condition or conditions, and (3) except
17 as to the United States of America, the State of Nebraska, a county, or a
18 village, in the extraterritorial zoning jurisdiction ~~area outside of the~~
19 ~~corporate limits~~ of the city of the primary class, the nature, kind, and
20 manner of constructing streets, alleys, sidewalks, curbing or abridging
21 curbs, driveway approaches constructed on or to public right-of-way, and
22 sewage disposal facilities. Any building or construction code implemented
23 under this section shall be adopted and enforced as provided in section
24 71-6406.

25 Sec. 156. Section 15-1017, Revised Statutes Cumulative Supplement,
26 2018, is amended to read:

27 15-1017 (1) A city of the primary class which has a city pension and
28 retirement plan or fund, or a city fire and police pension plan or fund,
29 or both, may provide by ordinance as authorized by its home rule charter,
30 and not prohibited by the Constitution of Nebraska, for the investment of
31 any plan or fund, and such city ~~it~~ may provide that (a) the ~~such a~~ city

1 shall place in trust any part of such plan or fund, (b) the city ~~it~~ shall
2 place in trust any part of any such plan or fund with a corporate trustee
3 in Nebraska, or (c) the city ~~it~~ shall purchase any part of any such plan
4 from a life insurance company licensed to do business in the State of
5 Nebraska. The powers conferred by this section shall be independent of
6 and in addition and supplemental to any other provisions of the laws of
7 the State of Nebraska with reference to the matters covered hereby, and
8 this section shall be considered as a complete and independent act and
9 not as amendatory of or limited by any other provision of the laws of the
10 State of Nebraska.

11 ~~(2) Beginning December 31, 1998, through December 31, 2017:~~

12 ~~(a) The clerk of a city of the primary class shall file with the~~
13 ~~Public Employees Retirement Board an annual report on each retirement~~
14 ~~plan established pursuant to this section, section 15-1026, and section~~
15 ~~401(a) of the Internal Revenue Code and shall submit copies of such~~
16 ~~report to the Auditor of Public Accounts. The Auditor of Public Accounts~~
17 ~~may prepare a review of such report pursuant to section 84-304.02 but is~~
18 ~~not required to do so. The annual report shall be in a form prescribed by~~
19 ~~the Public Employees Retirement Board and shall contain the following~~
20 ~~information for each such retirement plan:~~

21 ~~(i) The number of persons participating in the retirement plan;~~

22 ~~(ii) The contribution rates of participants in the plan;~~

23 ~~(iii) Plan assets and liabilities;~~

24 ~~(iv) The names and positions of persons administering the plan;~~

25 ~~(v) The names and positions of persons investing plan assets;~~

26 ~~(vi) The form and nature of investments;~~

27 ~~(vii) For each defined contribution plan, a full description of~~
28 ~~investment policies and options available to plan participants; and~~

29 ~~(viii) For each defined benefit plan, the levels of benefits of~~
30 ~~participants in the plan, the number of members who are eligible for a~~
31 ~~benefit, and the total present value of such members' benefits, as well~~

1 ~~as the funding sources which will pay for such benefits.~~

2 ~~If a plan contains no current active participants, the city clerk~~
3 ~~may file in place of such report a statement with the Public Employees~~
4 ~~Retirement Board indicating the number of retirees still drawing~~
5 ~~benefits, and the sources and amount of funding for such benefits; and~~

6 ~~(b) If such retirement plan is a defined benefit plan which was open~~
7 ~~to new members on January 1, 2004, in addition to the reports required by~~
8 ~~section 13-2402, the city council of a city of the primary class shall~~
9 ~~cause to be prepared an annual report and shall file the same with the~~
10 ~~Public Employees Retirement Board and the Nebraska Retirement Systems~~
11 ~~Committee of the Legislature and submit to the Auditor of Public Accounts~~
12 ~~a copy of such report. The Auditor of Public Accounts may prepare a~~
13 ~~review of such report pursuant to section 84-304.02 but is not required~~
14 ~~to do so. If the city council does not submit a copy of the report to the~~
15 ~~Auditor of Public Accounts within six months after the end of the plan~~
16 ~~year, the Auditor of Public Accounts may audit, or cause to be audited,~~
17 ~~the city. All costs of the audit shall be paid by the city. The report~~
18 ~~shall consist of a full actuarial analysis of each such retirement plan~~
19 ~~established pursuant to this section and section 15-1026. The analysis~~
20 ~~shall be prepared by an independent private organization or public entity~~
21 ~~employing actuaries who are members in good standing of the American~~
22 ~~Academy of Actuaries, and which organization or entity has demonstrated~~
23 ~~expertise to perform this type of analysis and is unrelated to any~~
24 ~~organization offering investment advice or which provides investment~~
25 ~~management services to the retirement plan. The report to the Nebraska~~
26 ~~Retirement Systems Committee shall be submitted electronically.~~

27 ~~(2)(a) (3)(a) Beginning December 31, 2018, and each December 31~~
28 ~~thereafter, for a defined benefit plan, the city clerk of a city of the~~
29 ~~primary class or his or her designee shall prepare and electronically~~
30 ~~file an annual report with the Auditor of Public Accounts and the~~
31 ~~Nebraska Retirement Systems Committee of the Legislature. If such~~

1 retirement plan is a defined benefit plan which was open to new members
2 on January 1, 2004, the report shall be in addition to the reports
3 required by section 13-2402. The report shall be on a form prescribed by
4 the Auditor of Public Accounts and shall include, but not be limited to,
5 the following information:

6 (i) The levels of benefits of participants in the plan, the number
7 of members who are eligible for a benefit, the total present value of
8 such members' benefits, and the funding sources which will pay for such
9 benefits; and

10 (ii) A copy of a full actuarial analysis of each such defined
11 benefit plan. The analysis shall be prepared by an independent private
12 organization or public entity employing actuaries who are members in good
13 standing of the American Academy of Actuaries, and which organization or
14 entity has demonstrated expertise to perform this type of analysis and is
15 unrelated to any organization which offers investment advice or provides
16 investment management services to the retirement plan.

17 (b) The Auditor of Public Accounts may prepare a review of such
18 report pursuant to section 84-304.02 but is not required to do so. If the
19 city council does not submit a copy of the report to the Auditor of
20 Public Accounts within six months after the end of the plan year, the
21 Auditor of Public Accounts may audit, or cause to be audited, the city.
22 All costs of the audit shall be paid by the city.

23 Sec. 157. Section 15-1101, Reissue Revised Statutes of Nebraska, is
24 amended to read:

25 15-1101 In any city of the primary class there shall be created a
26 planning department, which shall consist of a city planning commission, a
27 planning director, and such subordinate employees as are required to
28 administer the planning program as provided in sections 15-1101 to
29 15-1106 hereinafter set forth. The planning director shall serve as the
30 secretary of the city planning commission and as the administrative head
31 of the planning department.

1 Sec. 158. Section 15-1102, Reissue Revised Statutes of Nebraska, is
2 amended to read:

3 15-1102 (1) The general plan for the improvement and development of
4 ~~a~~ the city of the primary class shall be known as the comprehensive plan.
5 This plan for governmental policies and action shall include the pattern
6 and intensity of land use, the provision of public facilities including
7 transportation and other governmental services, the effective development
8 and utilization of human and natural resources, the identification and
9 evaluation of area needs including housing, employment, education, and
10 health and the formulation of programs to meet such needs, surveys of
11 structures and sites determined to be of historic, cultural,
12 archaeological, or architectural significance or value, long-range
13 physical and fiscal plans for governmental policies and action, and
14 coordination of all related plans and activities of the state and local
15 governments and agencies concerned. The comprehensive plan, with the
16 accompanying maps, plats, charts, and descriptive and explanatory
17 materials, shall show the recommendations concerning the physical
18 development pattern of such city and of any land outside its boundaries
19 related thereto, taking into account the availability of and need for
20 conserving land and other irreplaceable natural resources, the
21 preservation of sites of historic, cultural, archaeological, and
22 architectural significance or value, the projected changes in size,
23 movement, and composition of population, the necessity for expanding
24 housing and employment opportunities, and the need for methods of
25 achieving modernization, simplification, and improvements in governmental
26 structures, systems, and procedures related to growth objectives. The
27 comprehensive plan shall, among other things, show:

28 (a) ~~(1)~~ The general location, character, and extent of existing and
29 proposed streets and highways and railroad, air, and other transportation
30 routes and terminals;

31 (b) ~~(2)~~ Existing and proposed public ways, parks, grounds, and open

1 spaces;

2 (c) ~~(3)~~ The general location, character, and extent of schools,
3 school grounds, and other educational facilities and properties;

4 (d) ~~(4)~~ The general location and extent of existing and proposed
5 public utility installations;

6 (e) ~~(5)~~ The general location and extent of community development and
7 housing activities;

8 (f) ~~(6)~~ The general location of existing and proposed public
9 buildings, structures, and facilities; and

10 (g) ~~An (7) When a new comprehensive plan or a full update to an~~
11 ~~existing comprehensive plan is developed on or after July 15, 2010, but~~
12 ~~not later than January 1, 2015, an energy element which: Assesses energy~~
13 ~~infrastructure and energy use by sector, including residential,~~
14 ~~commercial, and industrial sectors; evaluates utilization of renewable~~
15 ~~energy sources; and promotes energy conservation measures that benefit~~
16 ~~the community.~~

17 (2) The comprehensive plan shall include a land-use plan showing the
18 proposed general distribution and general location of business and
19 industry, residential areas, utilities, and recreational, educational,
20 and other categories of public and private land uses. The land-use plan
21 shall also show the recommended standards of population density based
22 upon population estimates and providing for activities for which space
23 should be supplied within the area covered by the plan. The comprehensive
24 plan shall include and show proposals for acquisition, extension,
25 widening, narrowing, removal, vacation, abandonment, sale, and other
26 actions affecting public improvements.

27 Sec. 159. Section 15-1103, Reissue Revised Statutes of Nebraska, is
28 amended to read:

29 15-1103 The planning director of a city of the primary class shall
30 be responsible for preparing the comprehensive plan and amendments and
31 extensions thereto and for submitting such plans and modifications to the

1 city planning commission for its consideration and action. The planning
2 commission shall review such plans and modifications and those which the
3 city council may suggest and, after holding at least one public hearing
4 on each proposed action, shall provide its recommendations to the city
5 council within a reasonable period of time. The city council shall review
6 the recommendations of the planning commission and, after at least one
7 public hearing on each proposed action, shall adopt or reject such plans
8 as submitted, except that the city council may, by an affirmative vote of
9 at least five members of the city council, adopt a plan or amendments to
10 the proposed plan different from that recommended by the planning
11 commission.

12 When such ~~the~~ city is considering the adoption or amendment of a
13 zoning ordinance or the approval of the platting or replatting of any
14 development of real estate, the planning director shall notify any
15 military installation which is located within the corporate boundary
16 limits or the extraterritorial zoning jurisdiction of the city if the
17 city has received a written request for such notification from the
18 military installation. The planning director shall deliver the
19 notification to the military installation at least ten days prior to the
20 meeting of the planning commission at which the proposal is to be
21 considered.

22 Sec. 160. Section 15-1104, Reissue Revised Statutes of Nebraska, is
23 amended to read:

24 15-1104 No ordinance or resolution which deals with the acquisition,
25 extension, widening, narrowing, removal, vacation, abandonment, sale, or
26 other change relating to any public way, transportation route, ground,
27 open space, building or structure, or other public improvement of a
28 character included in the comprehensive plan of a city of the primary
29 class, the subject matter of which has not been reported on by the
30 planning department under ~~the provisions of~~ section 15-1103, shall be
31 adopted by the city council until such ordinance or resolution shall

1 first have been referred to the planning department and that department
2 has reported regarding conformity of the proposed action with the
3 comprehensive plan. The planning department's report shall specify the
4 character and degree of conformity or nonconformity of each proposed
5 action to the comprehensive plan, and a report in writing thereon shall
6 be rendered to the city council within thirty days after the date of
7 receipt of the referral unless a longer period is granted by the city
8 council. If the planning department fails to render any such report
9 within the allotted time, the approval of the department may be presumed
10 by the city council.

11 Sec. 161. Section 15-1105, Reissue Revised Statutes of Nebraska, is
12 amended to read:

13 15-1105 The planning director of a city of the primary class shall
14 be responsible for preparing any proposed ~~the~~ zoning ordinance and for
15 submitting such ordinance ~~it~~ to the city planning commission for its
16 consideration and action. The planning commission shall review the
17 proposed zoning ordinance and, after holding at least one public hearing
18 on each proposed action, shall approve or reject it in whole or in part
19 and with or without modifications. When approved by the planning
20 commission, the proposed zoning ordinance shall be submitted to the city
21 council for its consideration, and such ~~the~~ zoning ordinance shall become
22 effective when adopted by the city council. The city council ~~of such~~
23 ~~primary city~~ may amend, supplement, or otherwise modify the zoning
24 ordinance. Any such proposed amendment, supplement, or modification shall
25 first be submitted to the planning commission for its recommendations and
26 report. The planning commission shall hold at least one public hearing on
27 such proposed amendment, supplement, or modification ~~with relation~~
28 ~~thereto~~, before submitting its recommendations and report. After the
29 recommendations and report of the planning commission have been filed,
30 the city council shall, before enacting any proposed amendment,
31 supplement, or modification, hold a public hearing on such proposed

1 ~~amendment, supplement, or modification in relation thereto.~~ Notice of the
2 time and place of such ~~hearings above referred to~~ shall be given by
3 publication thereof in a legal newspaper in or ~~paper~~ of general
4 circulation in the city at least one time at least five days before the
5 date of hearing. Notice with reference to proposed amendments,
6 supplements, or modifications of the zoning ordinance shall also be
7 posted in a conspicuous place on or near the property upon which the
8 action is pending. Such notice shall be easily visible from the street,
9 and shall be posted at least five days before the hearing.

10 Sec. 162. Section 15-1106, Reissue Revised Statutes of Nebraska, is
11 amended to read:

12 15-1106 There may be created a board of zoning appeals of a city of
13 the primary class comprised of five members appointed by the mayor and
14 confirmed by the city council, which board shall have power to hear and
15 decide appeals from any decision or order of the building inspector or
16 other officers charged with the enforcement of ~~the zoning~~ ordinances
17 ~~ordinance~~ in those cases when it is alleged that such decision or order
18 is in error. The board shall also have power to decide upon petitions for
19 variances and, subject to such standards and procedures as the city
20 council may provide in ~~the zoning~~ ordinances ~~ordinance~~, to vary the
21 strict application of sign regulations or height, area, parking, or
22 density requirements to the extent necessary to permit the owner a
23 reasonable use of his or her land in those specific instances when there
24 are peculiar, exceptional, and unusual circumstances in connection with a
25 specific parcel of land, which circumstances are not generally found
26 within the locality or neighborhood concerned. The board may also have
27 such related duties as the mayor or city council may assign. The city
28 council may provide for appeals from a decision of the board.

29 Sec. 163. Section 15-1201, Reissue Revised Statutes of Nebraska, is
30 amended to read:

31 15-1201 Any person or persons, jointly or severally aggrieved by any

1 final administrative or judicial order or decision of the board of zoning
2 appeals, the board of equalization, the city council, or any officer, ~~or~~
3 department, ~~or~~ board of a city of the primary class, shall, except as
4 provided for claims in sections 15-840 to 15-842.01, appeal from such
5 order or decision to the district court in the manner provided in
6 sections 15-1201 to 15-1205 herein prescribed.

7 Sec. 164. Section 15-1202, Revised Statutes Cumulative Supplement,
8 2018, is amended to read:

9 15-1202 (1) The party appealing any final order or decision as
10 provided in section 15-1201 shall within thirty days after the date of
11 the order or decision complained of (a) file a notice of appeal with the
12 city clerk of the city of the primary class specifying the parties taking
13 the appeal and the order or decision appealed from and serve a copy of
14 the notice upon the city attorney and (b) deposit the fees and bond or
15 undertaking required pursuant to subsection (2) of this section or file
16 an affidavit pursuant to subsection (3) of this section. The notice of
17 appeal shall serve as a praecipe for a transcript.

18 (2) Except as provided in subsection (3) of this section, the
19 appellant shall:

20 (a) Deposit with the city clerk a docket fee of the district court
21 for cases originally commenced in district court;

22 (b) Deposit with the city clerk a cash bond or undertaking with at
23 least one good and sufficient surety approved by the city clerk, in the
24 amount of two hundred dollars, on condition that the appellant will
25 satisfy any judgment and costs that may be adjudged against him or her;
26 and

27 (c) Deposit with the city clerk the fees for the preparation of a
28 certified and complete transcript of the proceedings of the city relating
29 to the order or decision appealed.

30 (3)(a) An appellant may file with the city clerk an affidavit
31 alleging that the appellant is indigent. The filing of such an affidavit

1 shall relieve the appellant of the duty to deposit any fee, bond, or
2 undertaking required by subsection (2) of this section as a condition for
3 the preparation of the transcript or the perfecting of the appeal by the
4 appellant subject to the determination of the court as provided in
5 section 15-1204. In conjunction with the filing of the petition for
6 appeal as provided for in section 15-1204, the appellant shall file a
7 copy of the affidavit alleging his or her indigency and the district
8 court shall rule upon the issue of indigency prior to the consideration
9 of any other matter relating to the appeal as provided in section
10 15-1204.

11 (b) An appellant determined to be indigent under this subsection
12 shall not be required to deposit any fee, bond, or undertaking required
13 by subsection (2) of this section. For purposes of this section, indigent
14 means the inability to financially pursue the appeal without prejudicing
15 the appellant's ability to provide economic necessities for the appellant
16 or the appellant's family.

17 (c) An appellant determined not to be indigent shall, within thirty
18 days after the determination, deposit with the city clerk the fees and
19 bond or undertaking required by subsection (2) of this section. The
20 appeal shall not proceed further until the city clerk notifies the court
21 that the appropriate deposit has been made.

22 Sec. 165. Section 15-1203, Revised Statutes Cumulative Supplement,
23 2018, is amended to read:

24 15-1203 (1) Except as provided in subsection (2) of this section,
25 the city clerk, on payment to him or her of the costs of the transcript,
26 shall transmit within fifteen days to the clerk of the district court the
27 docket fee and a certified and complete transcript of the proceedings of
28 the city relating to the order or decision appealed as provided in
29 section 15-1201. After receipt of such fee and transcript, the clerk of
30 the district court shall file the appeal.

31 (2) If the appellant files an affidavit alleging that he or she is

1 indigent pursuant to section 15-1202, the city clerk shall transmit
2 within fifteen days to the clerk of the district court a certified and
3 complete transcript of the proceedings of the city relating to the order
4 or decision appealed. After receipt of the transcript, the clerk of the
5 district court shall file the appeal.

6 Sec. 166. Section 15-1204, Reissue Revised Statutes of Nebraska, is
7 amended to read:

8 15-1204 (1) The party appealing an order or decision as provided in
9 section 15-1201 shall file a petition within thirty days after the date
10 the transcript is filed in the district court.

11 (2) Except as provided in subsection (3) of this section,
12 satisfaction of the requirements of subsections (1) and (2) of section
13 15-1202 and subsection (1) of this section shall perfect the appeal and
14 give the district court jurisdiction of the matter appealed.

15 (3) Indigency shall be determined by the district court having
16 jurisdiction of the appeal upon motion of the appellant before the court
17 considers any other matter relating to the appeal. The court shall make a
18 reasonable inquiry to determine the appellant's financial condition and
19 shall consider such factors as the appellant's income, the availability
20 to the appellant of other resources, including real and personal
21 property, bank accounts, social security benefits, and unemployment or
22 other benefits, the appellant's normal living expenses, the appellant's
23 outstanding debts, the number and age of the appellant's dependents, and
24 other relevant circumstances. If the appellant is deemed to be indigent,
25 the satisfaction of the requirements of subsections (1) and (3) of
26 section 15-1202 and subsection (1) of this section shall perfect the
27 appeal and give the district court jurisdiction of the matter appealed.

28 Sec. 167. Section 15-1205, Reissue Revised Statutes of Nebraska, is
29 amended to read:

30 15-1205 The district court shall hear the appeal under sections
31 15-1201 to 15-1205 as in equity and without a jury and determine anew all

1 questions raised before the city. The court may reverse or affirm, wholly
2 or partly, or may modify the order or decision brought up for review.
3 Either party may appeal from the decision of the district court to the
4 Court of Appeals.

5 Sec. 168. Section 15-1305, Reissue Revised Statutes of Nebraska, is
6 amended to read:

7 15-1305 Whenever a city of the primary class exercises any city
8 ~~shall exercise~~ the jurisdiction and authority granted in sections 15-1301
9 to 15-1307 with respect to Chapter 71, article 15, the city ~~it~~ shall have
10 the jurisdiction and authority concurrent with and independent of any
11 existing housing authority for such purposes within the city and its area
12 of jurisdiction. In ; ~~Provided, that in~~ order to coordinate the actions
13 of the local housing authority and the community development agency, the
14 local housing authority shall submit to the city council of such city,
15 prior to the date it submits its annual budget request to the federal
16 government, a complete report of its activities during the past calendar
17 year and a complete description of its proposed actions for the coming
18 calendar year. Such report shall include the number of units added to or
19 removed from the authority's programs, the number of families housed by
20 the authority, the number applying who were not housed and the reasons
21 for their not being housed, the sources and amounts of all funds spent or
22 to be spent and the amounts available for use in its housing programs
23 that have not been used, and the policies of the authority on
24 eligibility, admissions, occupancy, termination of tenancies, and
25 grievance procedures. Such report shall be made available to the public
26 upon the its delivery of the report to the city council, and shall be
27 subject to public hearing prior to its formal acceptance by the city
28 council.

29 Sec. 169. Section 16-401, Revised Statutes Supplement, 2019, is
30 amended to read:

31 16-401 Regular meetings of the city council of a city of the first

1 class shall be held at such times as may be fixed by ordinance and
2 special meetings whenever called by the mayor or any four city council
3 members. A majority of all the members elected to the city council shall
4 constitute a quorum for the transaction of any business, except as
5 otherwise required by law, but a less number may adjourn, from time to
6 time, and compel the attendance of absent members. When the city council
7 consists of four members as established by ordinance or home rule
8 charter, the mayor shall be deemed a member of the city council for
9 purposes of establishing a quorum when the mayor's presence is necessary
10 to establish the quorum. An affirmative vote of not less than one-half of
11 the elected members shall be required for the transaction of any
12 business.

13 Sec. 170. Section 17-105, Revised Statutes Cumulative Supplement,
14 2018, is amended to read:

15 17-105 Regular meetings of the city council of a city of the second
16 class shall be held at such times as the city council may provide by
17 ordinance. A majority of all the members elected to the city council
18 shall constitute a quorum for the transaction of any business, but a
19 fewer number of members may adjourn from time to time and compel the
20 attendance of absent members. When the city council consists of four
21 members as established by ordinance or home rule charter, the mayor shall
22 be deemed a member of the city council for purposes of establishing a
23 quorum when the mayor's presence is necessary to establish the quorum.
24 Unless a greater vote is required by law, an affirmative vote of at least
25 one-half of the elected members shall be required for the transaction of
26 any business.

27 Sec. 171. Section 17-405.01, Revised Statutes Cumulative Supplement,
28 2018, is amended to read:

29 17-405.01 (1) Except as provided in subsections ~~subsection~~ (2) and
30 (3) of this section and section 17-407, the mayor and city council of any
31 city of the second class or the chairperson and members of the village

1 board of trustees may by ordinance, except as provided in sections
2 13-1111 to 13-1118, at any time, include within the corporate limits of
3 such city or village any contiguous or adjacent lands, lots, tracts,
4 streets, or highways as are urban or suburban in character, and in such
5 direction as may be deemed proper. Such grant of power shall not be
6 construed as conferring power to extend the limits of any city of the
7 second class or village over any agricultural lands which are rural in
8 character.

9 (2) The mayor and city council of any city of the second class or
10 the chairperson and members of the village board of trustees may, by
11 ordinance, annex any lands, lots, tracts, streets, or highways which
12 constitute a redevelopment project area so designated by the city or
13 village or its community redevelopment authority in accordance with the
14 provisions of the Community Development Law when such annexation is for
15 the purpose of implementing a lawfully adopted redevelopment plan
16 containing a provision dividing ad valorem taxes as provided in
17 subsection (1) of section 18-2147 and which will involve the construction
18 or development of an agricultural processing facility, notwithstanding
19 that such lands, lots, tracts, streets, or highways are not contiguous or
20 adjacent or are not urban or suburban in character. Such annexation shall
21 comply with all other provisions of law relating to annexation generally
22 for cities of the second class and villages. The city or village shall
23 not, in consequence of the annexation under this subsection of any
24 noncontiguous land, exercise the authority granted to it by law statute
25 to extend its extraterritorial zoning jurisdiction beyond its corporate
26 boundaries for purposes of planning, zoning, or subdivision development
27 without the agreement of any other city, village, or county currently
28 exercising zoning jurisdiction over the area surrounding the annexed
29 redevelopment project area. The annexation of any noncontiguous land
30 undertaken pursuant to this subsection shall not result in any change in
31 the service area of any electric utility without the express agreement of

1 the electric utility serving the annexed noncontiguous area at the time
2 of annexation, except that at such time following the annexation of the
3 noncontiguous area as the city or village lawfully annexes sufficient
4 intervening territory so as to directly connect the noncontiguous area to
5 the main body of the city or village, such noncontiguous area shall,
6 solely for the purposes of section 70-1008, be treated as if it had been
7 annexed by the city or village on the date upon which the connecting
8 intervening territory had been formally annexed. ~~(3)~~ For purposes of this
9 subsection ~~(2)~~ of this section, agricultural processing facility means a
10 plant or establishment where value is added to agricultural commodities
11 through processing, fabrication, or other means and where eighty percent
12 or more of the direct sales from the facility are to other than the
13 ultimate consumer of the processed commodities. A facility shall not
14 qualify as an agricultural processing facility unless its construction or
15 development involves the investment of more than one million dollars
16 derived from nongovernmental sources.

17 (3) The mayor and two-thirds of the city council of any city of the
18 second class or the chairperson and two-thirds of the members of the
19 village board of trustees may, by ordinance, annex any lands, lots,
20 tracts, streets, or highways when such annexation is for the purpose of
21 relocating part or all of such city or village due to catastrophic
22 flooding, notwithstanding that such lands, lots, tracts, streets, or
23 highways are not contiguous or adjacent or are not urban or suburban in
24 character. Such annexation shall comply with all other provisions of law
25 relating to annexation generally for cities of the second class and
26 villages. The city or village shall not, in consequence of the annexation
27 under this subsection of any noncontiguous land, exercise the authority
28 granted to it by law to extend its extraterritorial zoning jurisdiction
29 beyond its corporate boundaries for purposes of planning, zoning, or
30 subdivision development without the agreement of any other city, village,
31 or county currently exercising zoning jurisdiction over the area

1 surrounding the annexed area. The annexation of any noncontiguous land
2 undertaken pursuant to this subsection shall not result in any change in
3 the service area of any electric utility without the express agreement of
4 the electric utility serving the annexed noncontiguous area at the time
5 of annexation, except that at such time following the annexation of the
6 noncontiguous area as the city or village lawfully annexes sufficient
7 intervening territory so as to directly connect the noncontiguous area to
8 the main body of the city or village, such noncontiguous area shall,
9 solely for the purposes of section 70-1008, be treated as if it had been
10 annexed by the city or village on the date upon which the connecting
11 intervening territory had been formally annexed. If, within five years
12 following an annexation undertaken pursuant to this subsection, part or
13 all of the city or village has not been relocated to the annexed area,
14 the city or village shall initiate disconnection of such annexed area
15 pursuant to section 17-414. For purposes of this subsection, catastrophic
16 flooding means a flooding event that (a) results in total property damage
17 within the city or village which exceeds forty-five percent of the total
18 assessed value of the improvements within the city or village and (b) is
19 declared to be a major disaster by the President of the United States or
20 the Governor.

21 Sec. 172. Section 18-2101.02, Revised Statutes Supplement, 2019, is
22 amended to read:

23 18-2101.02 (1) For any city that (a) intends to carry out a
24 redevelopment project which will involve the construction of workforce
25 housing in an extremely blighted area as authorized under subdivision
26 (28)(g) of section 18-2103, (b) intends to declare an area as an
27 extremely blighted area for purposes of funding decisions under
28 subdivision (1)(b) of section 58-708, or (c) intends to declare an area
29 as an extremely blighted area in order for individuals purchasing
30 residences in such area to qualify for the income tax credit authorized
31 in subsection (7) of section 77-2715.07, the governing body of such city

1 shall first declare, by resolution adopted after the public hearings
2 required under this section, such area to be an extremely blighted area.

3 (2) Prior to making such declaration, the governing body of the city
4 shall conduct or cause to be conducted a study or an analysis on whether
5 the area is extremely blighted and shall submit the question of whether
6 such area is extremely blighted to the planning commission or board of
7 the city for its review and recommendation. The planning commission or
8 board shall hold a public hearing on the question after giving notice of
9 the hearing as provided in section 18-2115.01. ~~Such notice shall include~~
10 ~~a map of sufficient size to show the area to be declared extremely~~
11 ~~blighted or information on where to find such map and shall provide~~
12 ~~information on where to find copies of the study or analysis conducted~~
13 ~~pursuant to this subsection.~~ The planning commission or board shall
14 submit its written recommendations to the governing body of the city
15 within thirty days after the public hearing.

16 (3) Upon receipt of the recommendations of the planning commission
17 or board, or if no recommendations are received within thirty days after
18 the public hearing required under subsection (2) of this section, the
19 governing body shall hold a public hearing on the question of whether the
20 area is extremely blighted after giving notice of the hearing as provided
21 in section 18-2115.01. ~~Such notice shall include a map of sufficient size~~
22 ~~to show the area to be declared extremely blighted or information on~~
23 ~~where to find such map and shall provide information on where to find~~
24 ~~copies of the study or analysis conducted pursuant to subsection (2) of~~
25 ~~this section.~~ At the public hearing, all interested parties shall be
26 afforded a reasonable opportunity to express their views respecting the
27 proposed declaration. After such hearing, the governing body of the city
28 may make its declaration.

29 (4) Copies of each study or analysis conducted pursuant to
30 subsection (2) of this section shall be posted on the city's public web
31 site or made available for public inspection at a location designated by

1 the city.

2 (5) The study or analysis required under subsection (2) of this
3 section may be conducted in conjunction with the study or analysis
4 required under section 18-2109. The hearings required under this section
5 may be held in conjunction with the hearings required under section
6 18-2109.

7 Sec. 173. Section 18-2103, Revised Statutes Supplement, 2019, is
8 amended to read:

9 18-2103 For purposes of the Community Development Law, unless the
10 context otherwise requires:

11 (1) Area of operation means and includes the area within the
12 corporate limits of the city and such land outside the city as may come
13 within the purview of sections 18-2123 and 18-2123.01;

14 (2) Authority means any community redevelopment authority created
15 pursuant to section 18-2102.01 and any a city or village which has
16 ~~created a community development agency created pursuant to the provisions~~
17 ~~of section 18-2101.01~~ and does not include a limited community
18 redevelopment authority;

19 (3) Blighted area means an area (a) which, by reason of the presence
20 of a substantial number of deteriorated or deteriorating structures,
21 existence of defective or inadequate street layout, faulty lot layout in
22 relation to size, adequacy, accessibility, or usefulness, insanitary or
23 unsafe conditions, deterioration of site or other improvements, diversity
24 of ownership, tax or special assessment delinquency exceeding the fair
25 value of the land, defective or unusual conditions of title, improper
26 subdivision or obsolete platting, or the existence of conditions which
27 endanger life or property by fire and other causes, or any combination of
28 such factors, substantially impairs or arrests the sound growth of the
29 community, retards the provision of housing accommodations, or
30 constitutes an economic or social liability and is detrimental to the
31 public health, safety, morals, or welfare in its present condition and

1 use and (b) in which there is at least one of the following conditions:
2 (i) Unemployment in the designated area is at least one hundred twenty
3 percent of the state or national average; (ii) the average age of the
4 residential or commercial units in the area is at least forty years;
5 (iii) more than half of the plotted and subdivided property in an area is
6 unimproved land that has been within the city for forty years and has
7 remained unimproved during that time; (iv) the per capita income of the
8 area is lower than the average per capita income of the city or village
9 in which the area is designated; or (v) the area has had either stable or
10 decreasing population based on the last two decennial censuses. In no
11 event shall a city of the metropolitan, primary, or first class designate
12 more than thirty-five percent of the city as blighted, a city of the
13 second class shall not designate an area larger than fifty percent of the
14 city as blighted, and a village shall not designate an area larger than
15 one hundred percent of the village as blighted. A redevelopment project
16 involving a formerly used defense site as authorized under section
17 18-2123.01 shall not count towards the percentage limitations contained
18 in this subdivision;

19 (4) Bonds means any bonds, including refunding bonds, notes, interim
20 certificates, debentures, or other obligations issued pursuant to the
21 Community Development Law except for bonds issued pursuant to section
22 18-2142.04;

23 (5) Business means any private business located in an enhanced
24 employment area;

25 (6) City means any city or incorporated village in the state;

26 (7) Clerk means the clerk of the city or village;

27 (8) Community redevelopment area means a substandard and blighted
28 area which the community redevelopment authority designates as
29 appropriate for a redevelopment renewal project;

30 (9) Employee means a person employed at a business as a result of a
31 redevelopment project;

1 (10) Employer-provided health benefit means any item paid for by the
2 employer in total or in part that aids in the cost of health care
3 services, including, but not limited to, health insurance, health savings
4 accounts, and employer reimbursement of health care costs;

5 (11) Enhanced employment area means an area not exceeding six
6 hundred acres (a) within a community redevelopment area which is
7 designated by an authority as eligible for the imposition of an
8 occupation tax or (b) not within a community redevelopment area as may be
9 designated under section 18-2142.04;

10 (12) Equivalent employees means the number of employees computed by
11 (a) dividing the total hours to be paid in a year by (b) the product of
12 forty times the number of weeks in a year;

13 (13) Extremely blighted area means a substandard and blighted area
14 in which: (a) The average rate of unemployment in the area during the
15 period covered by the most recent federal decennial census or American
16 Community Survey 5-Year Estimate is at least two hundred percent of the
17 average rate of unemployment in the state during the same period; and (b)
18 the average poverty rate in the area exceeds twenty percent for the total
19 federal census tract or tracts or federal census block group or block
20 groups in the area;

21 (14) Federal government means the United States of America, or any
22 agency or instrumentality, corporate or otherwise, of the United States
23 of America;

24 (15) Governing body or local governing body means the city council,
25 board of trustees, or other legislative body charged with governing the
26 municipality;

27 (16) Limited community redevelopment authority means a community
28 redevelopment authority created pursuant to section 18-2102.01 having
29 only one single specific limited pilot project authorized;

30 (17) Mayor means the mayor of the city or chairperson of the board
31 of trustees of the village;

1 (18) New investment means the value of improvements to real estate
2 made in an enhanced employment area by a developer or a business;

3 (19) Number of new employees means the number of equivalent
4 employees that are employed at a business as a result of the
5 redevelopment project during a year that are in excess of the number of
6 equivalent employees during the year immediately prior to the year that a
7 redevelopment plan is adopted;

8 (20) Obligee means any bondholder, agent, or trustee for any
9 bondholder, or lessor demising to any authority, established pursuant to
10 section 18-2102.01, property used in connection with a redevelopment
11 project, or any assignee or assignees of such lessor's interest or any
12 part thereof, and the federal government when it is a party to any
13 contract with such authority;

14 (21) Occupation tax means a tax imposed under section 18-2142.02;

15 (22) Person means any individual, firm, partnership, limited
16 liability company, corporation, company, association, joint-stock
17 association, or body politic and includes any trustee, receiver,
18 assignee, or other similar representative thereof;

19 (23) Public body means the state or any municipality, county,
20 township, board, commission, authority, district, or other political
21 subdivision or public body of the state;

22 (24) Real property means all lands, including improvements and
23 fixtures thereon, and property of any nature appurtenant thereto, or used
24 in connection therewith, and every estate, interest and right, legal or
25 equitable, therein, including terms for years and liens by way of
26 judgment, mortgage, or otherwise, and the indebtedness secured by such
27 liens;

28 (25) Redeveloper means any person, partnership, or public or private
29 corporation or agency which enters or proposes to enter into a
30 redevelopment contract;

31 (26) Redevelopment contract means a contract entered into between an

1 authority and a redeveloper for the redevelopment of an area in
2 conformity with a redevelopment plan;

3 (27) Redevelopment plan means a plan, as it exists from time to time
4 for one or more community redevelopment areas, or for a redevelopment
5 project, which (a) conforms to the general plan for the municipality as a
6 whole and (b) is sufficiently complete to indicate such land acquisition,
7 demolition and removal of structures, redevelopment, improvements, and
8 rehabilitation as may be proposed to be carried out in the community
9 redevelopment area, zoning and planning changes, if any, land uses,
10 maximum densities, and building requirements;

11 (28) Redevelopment project means any work or undertaking in one or
12 more community redevelopment areas: (a) To acquire substandard and
13 blighted areas or portions thereof, including lands, structures, or
14 improvements the acquisition of which is necessary or incidental to the
15 proper clearance, development, or redevelopment of such substandard and
16 blighted areas; (b) to clear any such areas by demolition or removal of
17 existing buildings, structures, streets, utilities, or other improvements
18 thereon and to install, construct, or reconstruct streets, utilities,
19 parks, playgrounds, public spaces, public parking facilities, sidewalks
20 or moving sidewalks, convention and civic centers, bus stop shelters,
21 lighting, benches or other similar furniture, trash receptacles,
22 shelters, skywalks and pedestrian and vehicular overpasses and
23 underpasses, enhancements to structures in the redevelopment plan area
24 which exceed minimum building and design standards in the community and
25 prevent the recurrence of substandard and blighted conditions, and any
26 other necessary public improvements essential to the preparation of sites
27 for uses in accordance with a redevelopment plan; (c) to sell, lease, or
28 otherwise make available land in such areas for residential,
29 recreational, commercial, industrial, or other uses, including parking or
30 other facilities functionally related or subordinate to such uses, or for
31 public use or to retain such land for public use, in accordance with a

1 redevelopment plan; and may also include the preparation of the
2 redevelopment plan, the planning, survey, and other work incident to a
3 redevelopment project and the preparation of all plans and arrangements
4 for carrying out a redevelopment project; (d) to dispose of all real and
5 personal property or any interest in such property, or assets, cash, or
6 other funds held or used in connection with residential, recreational,
7 commercial, industrial, or other uses, including parking or other
8 facilities functionally related or subordinate to such uses, or any
9 public use specified in a redevelopment plan or project, except that such
10 disposition shall be at its fair value for uses in accordance with the
11 redevelopment plan; (e) to acquire real property in a community
12 redevelopment area which, under the redevelopment plan, is to be repaired
13 or rehabilitated for dwelling use or related facilities, repair or
14 rehabilitate the structures, and resell the property; (f) to carry out
15 plans for a program of voluntary or compulsory repair, rehabilitation, or
16 demolition of buildings in accordance with the redevelopment plan; and
17 (g) in a rural community or in an extremely blighted area within a
18 municipality that is not a rural community, to carry out construction of
19 workforce housing;

20 (29) Redevelopment project valuation means the valuation for
21 assessment of the taxable real property in a redevelopment project last
22 certified for the year prior to the effective date of the provision
23 authorized in section 18-2147;

24 (30) Rural community means any municipality in a county with a
25 population of fewer than one hundred thousand inhabitants as determined
26 by the most recent federal decennial census;

27 (31) Substandard area means an area in which there is a predominance
28 of buildings or improvements, whether nonresidential or residential in
29 character, which, by reason of dilapidation, deterioration, age or
30 obsolescence, inadequate provision for ventilation, light, air,
31 sanitation, or open spaces, high density of population and overcrowding,

1 or the existence of conditions which endanger life or property by fire
2 and other causes, or any combination of such factors, is conducive to ill
3 health, transmission of disease, infant mortality, juvenile delinquency,
4 and crime, (which cannot be remedied through construction of prisons),
5 and is detrimental to the public health, safety, morals, or welfare; and

6 (32) Workforce housing means:

7 (a) Housing that meets the needs of today's working families;

8 (b) Housing that is attractive to new residents considering
9 relocation to a rural community;

10 (c) Owner-occupied housing units that cost not more than two hundred
11 seventy-five thousand dollars to construct or rental housing units that
12 cost not more than two hundred thousand dollars per unit to construct.
13 For purposes of this subdivision (c), housing unit costs shall be updated
14 annually by the Department of Economic Development based upon the most
15 recent increase or decrease in the Producer Price Index for all
16 commodities, published by the United States Department of Labor, Bureau
17 of Labor Statistics;

18 (d) Owner-occupied and rental housing units for which the cost to
19 substantially rehabilitate exceeds fifty percent of a unit's assessed
20 value; and

21 (e) Upper-story housing.

22 Sec. 174. Section 18-2109, Revised Statutes Cumulative Supplement,
23 2018, is amended to read:

24 18-2109 (1) An authority shall not prepare a redevelopment plan for
25 a redevelopment project area and the governing body of the city in which
26 such area is located shall not approve a redevelopment plan unless the
27 governing body of the city in which such area is located has, by
28 resolution adopted after the public hearings required under this section,
29 declared such area to be a substandard and blighted area in need of
30 redevelopment.

31 (2) Prior to making such declaration, the governing body of the city

1 shall conduct or cause to be conducted a study or an analysis on whether
2 the area is substandard and blighted and shall submit the question of
3 whether such area is substandard and blighted to the planning commission
4 or board of the city for its review and recommendation. The planning
5 commission or board shall hold a public hearing on the question after
6 giving notice of the hearing as provided in section 18-2115.01. Such
7 ~~notice shall include a map of sufficient size to show the area to be~~
8 ~~declared substandard and blighted or information on where to find such~~
9 ~~map and shall provide information on where to find copies of the~~
10 ~~substandard and blighted study or analysis conducted pursuant to this~~
11 ~~subsection.~~ The planning commission or board shall submit its written
12 recommendations to the governing body of the city within thirty days
13 after the public hearing.

14 (3) Upon receipt of the recommendations of the planning commission
15 or board, or if no recommendations are received within thirty days after
16 the public hearing required under subsection (2) of this section, the
17 governing body shall hold a public hearing on the question of whether the
18 area is substandard and blighted after giving notice of the hearing as
19 provided in section 18-2115.01. ~~Such notice shall include a map of~~
20 ~~sufficient size to show the area to be declared substandard and blighted~~
21 ~~or information on where to find such map and shall provide information on~~
22 ~~where to find copies of the substandard and blighted study or analysis~~
23 ~~conducted pursuant to subsection (2) of this section.~~ At the public
24 hearing, all interested parties shall be afforded a reasonable
25 opportunity to express their views respecting the proposed declaration.
26 After such hearing, the governing body of the city may make its
27 declaration.

28 (4) Copies of each substandard and blighted study or analysis
29 conducted pursuant to subsection (2) of this section shall be posted on
30 the city's public web site or made available for public inspection at a
31 location designated by the city.

1 Sec. 175. Section 18-2115, Revised Statutes Cumulative Supplement,
2 2018, is amended to read:

3 18-2115 (1) The planning commission or board of the city shall hold
4 a public hearing on any redevelopment plan or substantial modification
5 thereof after giving notice of the hearing as provided in section
6 18-2115.01. ~~Such notice shall specifically identify the area to be~~
7 ~~redeveloped under the plan, shall include a map of sufficient size to~~
8 ~~show the area to be redeveloped or information on where to find such map,~~
9 ~~and shall provide information on where to find copies of any cost-benefit~~
10 ~~analysis conducted pursuant to section 18-2113.~~

11 (2) After the hearing required under subsection (1) of this section,
12 the governing body of the city shall hold a public hearing on any
13 redevelopment plan or substantial modification thereof after giving
14 notice of the hearing as provided in section 18-2115.01. ~~Such notice~~
15 ~~shall specifically identify the area to be redeveloped under the plan,~~
16 ~~shall include a map of sufficient size to show the area to be redeveloped~~
17 ~~or information on where to find such map, and shall provide information~~
18 ~~on where to find copies of any cost-benefit analysis conducted pursuant~~
19 ~~to section 18-2113.~~ At the public hearing, all interested parties shall
20 be afforded a reasonable opportunity to express their views respecting
21 the proposed redevelopment plan.

22 (3) For purposes of this section, substantial modification means a
23 change to a redevelopment plan that (a) materially alters or reduces
24 existing areas or structures otherwise available for public use or
25 access, (b) substantially alters the use of the community redevelopment
26 area as contemplated in the redevelopment plan, or (c) increases the
27 amount of ad valorem taxes pledged under section 18-2150 by more than
28 five percent, if the amount of such taxes is included in the
29 redevelopment plan.

30 Sec. 176. Section 18-2115.01, Revised Statutes Supplement, 2019, is
31 amended to read:

1 18-2115.01 (1) For any hearing to be held pursuant to section
2 18-2101.02, 18-2109, or 18-2115:

3 (a) The notice of hearing shall:

4 (i) Be published at least once a week for two consecutive weeks in a
5 legal newspaper in or of general circulation in the community;

6 (ii) Be given to any neighborhood association which is registered
7 under subsection (2) of this section and whose area of representation is
8 located in whole or in part within a one-mile radius of the area to be
9 declared extremely blighted under section 18-2101.02, the area to be
10 declared substandard and blighted under section 18-2109, or the area to
11 be redeveloped in the redevelopment plan or substantial modification
12 thereof under section 18-2115; and

13 (iii) Be given to the president or chairperson of the governing body
14 of each county, school district, community college area, educational
15 service unit, and natural resources district that includes the real
16 property to be declared extremely blighted under section 18-2101.02, the
17 real property to be declared substandard and blighted under section
18 18-2109, or the real property subject to the redevelopment plan or
19 substantial modification thereof under section 18-2115;

20 (b) The time of the hearing shall be at least ten days from the last
21 publication of notice under subdivision (1)(a)(i) of this section;

22 (c) The notice of hearing described in subdivision (1)(a)(ii) of
23 this section shall be given at least ten days prior to the hearing, shall
24 be sent in the manner requested by the neighborhood association, and
25 shall be deemed given on the date it is sent to the neighborhood
26 association. The notice of hearing described in subdivision (1)(a)(iii)
27 of this section shall be given at least ten days prior to the hearing,
28 shall be sent by certified mail, return receipt requested, to the
29 president or chairperson of the governing body, and shall be deemed given
30 on the date it is mailed by certified mail to the president or
31 chairperson; and

1 (d) The notice of hearing shall include the following information:

2 (i) The time, date, place, and purpose of the hearing;

3 (ii) A map of sufficient size to show the area to be declared
4 extremely blighted under section 18-2101.02, the area to be declared
5 substandard and blighted under section 18-2109, or the area to be
6 redeveloped in the redevelopment plan or substantial modification thereof
7 under section 18-2115, or information on where to find such map;

8 (iii) For a hearing held pursuant to section 18-2101.02, information
9 on where to find copies of the study or analysis conducted pursuant to
10 subsection (2) of section 18-2101.02;

11 (iv) For a hearing held pursuant to section 18-2109, information on
12 where to find copies of the study or analysis conducted pursuant to
13 subsection (2) of section 18-2109; and

14 (v) For a hearing held pursuant to section 18-2115, a specific
15 identification of the area to be redeveloped under the plan and
16 information on where to find copies of any cost-benefit analysis
17 conducted pursuant to section 18-2113.

18 ~~(1) Public notice of any hearing required under section 18-2101.02,~~
19 ~~18-2109, or 18-2115 shall be given by publication at least once a week~~
20 ~~for two consecutive weeks in a legal newspaper in or of general~~
21 ~~circulation in the community. The time of the hearing shall be at least~~
22 ~~ten days from the last publication.~~

23 ~~(2)(a) Notice of any hearing required under section 18-2101.02,~~
24 ~~18-2109, or 18-2115 shall be given to neighborhood associations that have~~
25 ~~registered under subsection (5) of this section as follows:~~

26 ~~(i) For a hearing under section 18-2109, notice shall be given to~~
27 ~~each registered neighborhood association whose area of representation is~~
28 ~~located in whole or in part within a one-mile radius of the area to be~~
29 ~~declared substandard and blighted;~~

30 ~~(ii) For a hearing under section 18-2101.02, notice shall be given~~
31 ~~to each registered neighborhood association whose area of representation~~

1 is located in whole or in part within a one-mile radius of the area to be
2 declared extremely blighted; and

3 (iii) For a hearing under section 18-2115, notice shall be given to
4 each registered neighborhood association whose area of representation is
5 located in whole or in part within a one-mile radius of the area to be
6 redeveloped.

7 (b) Notice under this subsection shall be given at least ten days
8 prior to the hearing in the manner requested by the neighborhood
9 association. The notice shall be deemed given on the date it is sent.

10 (3)(a) Notice of any hearing required under section 18-2101.02,
11 18-2109, or 18-2115 shall be given to political subdivisions as follows:

12 (i) For a hearing under section 18-2109, notice shall be given to
13 the president or chairperson of the governing body of each county, school
14 district, community college area, educational service unit, and natural
15 resources district in which the real property to be declared substandard
16 and blighted is located;

17 (ii) For a hearing under section 18-2101.02, notice shall be given
18 to the president or chairperson of the governing body of each county,
19 school district, community college area, educational service unit, and
20 natural resources district in which the real property to be declared
21 extremely blighted is located; and

22 (iii) For a hearing under section 18-2115, notice shall be given to
23 the president or chairperson of the governing body of each county, school
24 district, community college area, educational service unit, and natural
25 resources district in which the real property subject to the
26 redevelopment plan or substantial modification thereof is located.

27 (b) Notice under this subsection shall be given at least ten days
28 prior to the hearing by certified mail, return receipt requested. The
29 notice shall be deemed given on the date it is mailed by certified mail.

30 (4) All notices given under this section shall describe the time,
31 date, place, and purpose of the hearing.

1 (2) ~~(5)~~ Each neighborhood association desiring to receive notice of
2 any hearing required under section 18-2101.02, 18-2109, or 18-2115 shall
3 register with the city's planning department or, if there is no planning
4 department, with the city clerk. The registration shall include a
5 description of the area of representation of the association, the name of
6 and contact information for the individual designated by the association
7 to receive the notice on its behalf, and the requested manner of service,
8 whether by email, first-class mail, or certified mail. Registration of
9 the neighborhood association for purposes of this section shall be
10 accomplished in accordance with such other rules and regulations as may
11 be adopted and promulgated by the city.

12 Sec. 177. Section 18-2117.02, Revised Statutes Cumulative
13 Supplement, 2018, is amended to read:

14 18-2117.02 On or before May 1 of each year, each authority, or such
15 other division or department of the city as designated by the governing
16 body, shall compile information regarding the approval and progress of
17 redevelopment projects that are financed in whole or in part through the
18 division of taxes as provided in section 18-2147 and report such
19 information to the governing body of the city and to the governing body
20 of each county, school district, community college area, educational
21 service unit, and natural resources district whose property taxes are
22 affected by such division of taxes. The report shall include, but not be
23 limited to, the following information:

24 (1) The total number of active redevelopment projects within the
25 city that have been financed in whole or in part through the division of
26 taxes as provided in section 18-2147;

27 (2) The total estimated project costs for all such redevelopment
28 projects;

29 (3) A comparison between the initial projected valuation of property
30 included in each such redevelopment project as described in the
31 redevelopment contract and the assessed value of the property included in

1 each such redevelopment project as of January 1 of the year of the
2 report;

3 ~~(4) The number of such redevelopment projects for which financing~~
4 ~~has been paid in full during the previous calendar year and for which~~
5 ~~taxes are no longer being divided pursuant to section 18-2147;~~

6 (4) ~~(5)~~ The number of such redevelopment projects approved by the
7 governing body in the previous calendar year;

8 (5) ~~(6)~~ Information specific to each such redevelopment project
9 approved by the governing body in the previous calendar year, including
10 the project area, project type, amount of financing approved, and total
11 estimated project costs; ~~and~~

12 (6) The number of redevelopment projects for which financing has
13 been paid in full during the previous calendar year and for which taxes
14 are no longer being divided pursuant to section 18-2147; and

15 (7) The percentage of the city that has been designated as blighted.
16 Sec. 178. Section 18-2117.03, Revised Statutes Cumulative
17 Supplement, 2018, is amended to read:

18 18-2117.03 (1) A redevelopment project that includes the division
19 of taxes as provided in section 18-2147 shall not provide for the
20 reimbursement of costs incurred prior to approval of the redevelopment
21 project, except for costs relating to:

22 (a) ~~(1)~~ The preparation of materials and applications related to the
23 redevelopment project;

24 (b) ~~(2)~~ The preparation of a cost-benefit analysis conducted
25 pursuant to section 18-2113;

26 (c) ~~(3)~~ The preparation of a redevelopment contract;

27 (d) ~~(4)~~ The preparation of bond and other financing instruments;

28 (e) ~~(5)~~ Land acquisition and related due diligence activities,
29 including, but not limited to, surveys and environmental studies; and

30 (f) ~~(6)~~ Site demolition and preparation.

31 (2) This section shall not be construed to require the reimbursement

1 of legal fees incurred prior to approval of the redevelopment project.

2 Sec. 179. Section 18-2142.05, Revised Statutes Cumulative
3 Supplement, 2018, is amended to read:

4 18-2142.05 Prior to approving a redevelopment project that expressly
5 carries to carry out the construction of workforce housing, a governing
6 body shall (1) receive a housing study which is current within twenty-
7 four months, (2) prepare an incentive plan for construction of housing in
8 the municipality targeted to house existing or new workers, (3) hold a
9 public hearing on such incentive plan with notice which complies with the
10 conditions set forth in section 18-2115.01, and (4) after the public
11 hearing find that such incentive plan is necessary to prevent the spread
12 of blight and substandard conditions within the municipality, will
13 promote additional safe and suitable housing for individuals and families
14 employed in the municipality, and will not result in the unjust
15 enrichment of any individual or company. A public hearing held under this
16 section shall be separate from any public hearing held under section
17 18-2115.

18 Sec. 180. Section 19-612, Revised Statutes Supplement, 2019, is
19 amended to read:

20 19-612 City council members in a city under the city manager plan of
21 government shall be nominated and elected as provided in section 32-538.
22 The number of city council members shall be determined by the class and
23 population of the city. In cities having one thousand or more but not
24 more than forty thousand inhabitants as determined by the most recent
25 federal decennial census or the most recent revised certified count by
26 the United States Bureau of the Census, there shall be five members, and
27 in cities having more than forty thousand but less than two hundred
28 thousand inhabitants as determined by the most recent federal decennial
29 census or the most recent revised certified count by the United States
30 Bureau of the Census, there shall be seven members, except that in cities
31 having between ten thousand and forty thousand inhabitants as determined

1 by the most recent federal decennial census or the most recent revised
2 certified count by the United States Bureau of the Census, the city
3 council may by ordinance provide for seven members. The terms of office
4 of all such members shall commence on the first regular meeting of such
5 city council in December following their election.

6 Sec. 181. Section 19-927, Revised Statutes Supplement, 2019, is
7 amended to read:

8 19-927 The planning commission of a city of the first class, city of
9 the second class, or village shall elect its chairperson from its members
10 and create and fill such other of its offices as it may determine. The
11 term of the chairperson shall be one year, and he or she shall be
12 eligible for reelection. The commission shall hold at least one regular
13 meeting in each calendar quarter, except as provided in this section. The
14 ~~the~~ city council or village board of trustees may require the commission
15 to meet more frequently and the chairperson of the commission may call
16 for a meeting when necessary to deal with business pending before the
17 commission. If no business is pending before the commission, the
18 chairperson may cancel a quarterly meeting, but no more than three
19 quarterly meetings may be cancelled per calendar year. The commission
20 shall adopt rules and regulations for the transaction of business and
21 shall keep a record of its resolutions, transactions, findings, and
22 determinations, which shall be a public record.

23 Sec. 182. Section 19-5205, Revised Statutes Cumulative Supplement,
24 2018, is amended to read:

25 19-5205 (1) If a land bank is created by a single municipality, the
26 board of such land bank shall meet the following requirements:

27 (a) The board shall consist of:

28 (i) Seven voting members appointed by the mayor of the municipality
29 that created the land bank and confirmed by a two-thirds vote of the
30 governing body of such municipality;

31 (ii) The planning director of the municipality that created the land

1 bank or his or her designee, as a nonvoting, ex officio member;

2 (iii) One member of the governing body of the municipality that
3 created the land bank, appointed by such governing body, as a nonvoting,
4 ex officio member; and

5 (iv) Such other nonvoting members as are appointed by the mayor of
6 the municipality that created the land bank;

7 (b) The seven voting members of the board shall be residents of the
8 municipality that created the land bank;

9 (c) If the governing body of the municipality creating the land bank
10 has any of its members elected by district or ward, then at least one
11 voting member of the board shall be appointed from each such district or
12 ward. Such voting members shall represent, to the greatest extent
13 possible, the racial and ethnic diversity of the municipality creating
14 the land bank;

15 (d) The seven voting members of the board shall have, collectively,
16 verifiable skills, expertise, and knowledge in market-rate and affordable
17 residential, commercial, industrial, and mixed-use real estate
18 development, financing, law, purchasing and sales, asset management,
19 economic and community development, and the acquisition of tax sale
20 certificates;

21 (e) The seven voting members of the board shall include:

22 (i) At least one member representing a chamber of commerce;

23 (ii) At least one member with experience in banking;

24 (iii) At least one member with experience in real estate
25 development;

26 (iv) At least one member with experience as a realtor;

27 (v) At least one member with experience in nonprofit or affordable
28 housing; and

29 (vi) At least one member with experience in large-scale residential
30 or commercial property rental; and

31 (f) A single voting member may satisfy more than one of the

1 requirements provided in subdivision (1)(e) of this section if he or she
2 has the required qualifications. It is not necessary that there be a
3 different member to fulfill each such requirement.

4 (2) If a land bank is created by more than one municipality pursuant
5 to an agreement under the Interlocal Cooperation Act, the board of such
6 land bank shall meet the following requirements:

7 (a) The board shall consist of:

8 (i) An odd number of voting members, totaling at least seven,
9 appointed by the mayors of the municipalities that created the land bank,
10 as mutually agreed to by such mayors, and confirmed by a two-thirds vote
11 of the governing body of each municipality that created the land bank;

12 (ii) The planning director of each municipality that created the
13 land bank or his or her designee, as nonvoting, ex officio members;

14 (iii) One member of the governing body of each municipality that
15 created the land bank, appointed by the governing body on which such
16 member serves, as nonvoting, ex officio members; and

17 (iv) Such other nonvoting members as are appointed by the mayors of
18 the municipalities that created the land bank, as mutually agreed to by
19 such mayors;

20 (b) Each voting member of the board shall be a resident of one of
21 the municipalities that created the land bank, with at least one voting
22 member appointed from each such municipality;

23 (c) If the governing body of the largest municipality creating the
24 land bank has any of its members elected by district or ward, then at
25 least one voting member of the board shall be appointed from each such
26 district or ward. Such voting members shall represent, to the greatest
27 extent possible, the racial and ethnic diversity of the largest
28 municipality creating the land bank;

29 (d) The voting members of the board shall have, collectively,
30 verifiable skills, expertise, and knowledge in market-rate and affordable
31 residential, commercial, industrial, and mixed-use real estate

1 development, financing, law, purchasing and sales, asset management,
2 economic and community development, and the acquisition of tax sale
3 certificates;

4 (e) The voting members of the board shall include:

5 (i) At least one member representing a chamber of commerce;

6 (ii) At least one member with experience in banking;

7 (iii) At least one member with experience in real estate
8 development;

9 (iv) At least one member with experience as a realtor;

10 (v) At least one member with experience in nonprofit or affordable
11 housing; and

12 (vi) At least one member with experience in large-scale residential
13 or commercial property rental; and

14 (f) A single voting member may satisfy more than one of the
15 requirements provided in subdivision (2)(e) of this section if he or she
16 has the required qualifications. It is not necessary that there be a
17 different member to fulfill each such requirement.

18 (3) The members of the board shall select annually from among
19 themselves a chairperson, a vice-chairperson, a treasurer, and such other
20 officers as the board may determine.

21 (4) A public official or public employee shall be eligible to be a
22 member of the board.

23 (5) A vacancy on the board among the appointed board members shall
24 be filled not later than six months after the date of such vacancy in the
25 same manner as the original appointment.

26 (6) Board members shall serve without compensation.

27 (7) The board shall meet in regular session according to a schedule
28 adopted by the board and shall also meet in special session as convened
29 by the chairperson or upon written notice signed by a majority of the
30 voting members. The presence of a majority of the voting members of the
31 board shall constitute a quorum.

1 (8) Except as otherwise provided in subsections (9) and (11) of this
2 section and in sections 19-5210 and 19-5214, all actions of the board
3 shall be approved by the affirmative vote of a majority of the voting
4 members present and voting.

5 (9) Any action of the board on the following matters shall be
6 approved by a majority of the voting members:

7 (a) Adoption of bylaws and other rules and regulations for conduct
8 of the land bank's business;

9 (b) Hiring or firing of any employee or contractor of the land bank.
10 This function may, by majority vote of the voting members, be delegated
11 by the board to a specified officer or committee of the land bank, under
12 such terms and conditions, and to the extent, that the board may specify;

13 (c) The incurring of debt;

14 (d) Adoption or amendment of the annual budget; and

15 (e) Sale, lease, encumbrance, or alienation of real property,
16 improvements, or personal property with a value of more than fifty
17 thousand dollars.

18 (10) Members of a board shall not be liable personally on the bonds
19 or other obligations of the land bank, and the rights of creditors shall
20 be solely against such land bank.

21 (11) The board shall adopt policies and procedures to specify the
22 conditions that must be met in order for the land bank to give an
23 automatically accepted bid as authorized in sections 19-5217 and 19-5218.
24 The adoption of such policies and procedures shall require the approval
25 of two-thirds of the voting members of the board. At a minimum, such
26 policies and procedures shall ensure that the automatically accepted bid
27 shall only be given for one of the following reasons:

28 (a) The real property substantially meets more than one of the
29 following criteria as determined by two-thirds of the voting members of
30 the board:

31 (i) The property is not occupied by the owner or any lessee or

1 licensee of the owner;

2 (ii) There are no utilities currently being provided to the
3 property;

4 (iii) Any buildings on the property have been deemed unfit for human
5 habitation, occupancy, or use by local housing officials;

6 (iv) Any buildings on the property are exposed to the elements such
7 that deterioration of the building is occurring;

8 (v) Any buildings on the property are boarded up;

9 (vi) There have been previous efforts to rehabilitate any buildings
10 on the property;

11 (vii) There is a presence of vermin, uncut vegetation, or debris
12 accumulation on the property;

13 (viii) There have been past actions by the municipality to maintain
14 the grounds or any building on the property; or

15 (ix) The property has been out of compliance with orders of local
16 housing officials;

17 (b) The real property is contiguous to a parcel that meets more than
18 one of the criteria in subdivision (11)(a) of this section or that is
19 already owned by the land bank; or

20 (c) Acquisition of the real property by the land bank would serve
21 the best interests of the community as determined by two-thirds of the
22 voting members of the board. In determining whether the acquisition would
23 serve the best interests of the community, the board shall take into
24 consideration the hierarchical ranking of priorities for the use of real
25 property conveyed by a land bank established pursuant to subsection (5)
26 of section 19-5210, if any such hierarchical ranking is established.

27 Sec. 183. Section 19-5305, Revised Statutes Cumulative Supplement,
28 2018, is amended to read:

29 19-5305 (1) Following the creation of a district under section
30 19-5304, the mayor, with the approval of the city council, shall appoint
31 a riverfront development authority to oversee and manage the district.

1 The authority shall consist of five or more members who collectively
2 shall have skills, expertise, and knowledge in residential, commercial,
3 and mixed-use real estate development, financing, law, asset management,
4 economic and community development, and tourism promotion.

5 (2) The members of the authority shall select annually from among
6 themselves a chairperson, a vice-chairperson, a treasurer, and such other
7 officers as the authority may determine.

8 (3) A public official or public employee shall be eligible to be a
9 member of the authority.

10 (4) A vacancy on the authority shall be filled not later than six
11 months after the date of such vacancy in the same manner as the original
12 appointment.

13 (5) Members of the authority shall serve without compensation.

14 (6) The authority shall meet in regular session according to a
15 schedule adopted by the authority and shall also meet in special session
16 as convened by the chairperson or upon written notice signed by a
17 majority of the members.

18 (7) Two or more cities which have a contiguous riverfront along the
19 same river may enter into an agreement pursuant to the Interlocal
20 Cooperation Act to create a single authority to jointly oversee and
21 manage the districts created in such cities. An agreement entered into
22 under this subsection shall contain the information required by section
23 19-5304.

24 (8) An authority which oversees and manages a district bordering
25 another state may enter into an agreement pursuant to the Interlocal
26 Cooperation Act with a political subdivision, public agency, or quasi-
27 public agency in such other state to jointly oversee and manage the
28 district and any similar district or districts in such other state.

29 (9) Each authority created pursuant to the Riverfront Development
30 District Act shall be deemed to be a public corporation acting in a
31 governmental capacity and a political subdivision of the state and shall

1 have permanent and perpetual duration until terminated and dissolved in
2 accordance with section 19-5317.

3 Sec. 184. Section 32-538, Revised Statutes Supplement, 2019, is
4 amended to read:

5 32-538 (1) In a city which adopts the city manager plan of
6 government pursuant to the City Manager Plan of Government Act, the
7 ~~number of city council members shall be nominated at the statewide~~
8 ~~primary election and elected at the statewide general election.~~
9 ~~determined by the class and population of the city. In cities having one~~
10 ~~thousand or more but not more than forty thousand inhabitants as~~
11 ~~determined by the most recent federal decennial census or the most recent~~
12 ~~revised certified count by the United States Bureau of the Census, there~~
13 ~~shall be five members, and in cities having more than forty thousand but~~
14 ~~less than two hundred thousand inhabitants as determined by the most~~
15 ~~recent federal decennial census or the most recent revised certified~~
16 ~~count by the United States Bureau of the Census, there shall be seven~~
17 ~~members, except that in cities having between twenty five thousand and~~
18 ~~forty thousand inhabitants as determined by the most recent federal~~
19 ~~decennial census or the most recent revised certified count by the United~~
20 ~~States Bureau of the Census, the city council may by ordinance provide~~
21 ~~for seven members. Council~~

22 (2) City council members shall be elected from the city at large
23 unless the city council by ordinance provides for the election of all or
24 some of the city its council members by wards, the number and boundaries
25 of which are provided for in section 16-104. City council ~~Council~~ members
26 shall serve for terms of four years or until their successors are elected
27 and qualified. The city council members shall meet the qualifications
28 found in sections 19-613 and 19-613.01.

29 (3) The first election under an ordinance changing the number of
30 city council members or their manner of election shall take place at the
31 next statewide primary and general elections ~~regular city election~~. City

1 ~~council~~ Council members whose terms of office expire after the election
2 shall continue in office until the expiration of the terms for which they
3 were elected and until their successors are elected and qualified. At the
4 first election under an ordinance changing the number of city council
5 members or their manner of election, one-half or the bare majority of
6 city council members elected at large, as the case may be, who receive
7 the highest number of votes shall serve for four years and the other or
8 others, if needed, for two years. At such first election, one-half or the
9 bare majority of city council members, as the case may be, who are
10 elected by wards shall serve for four years and the other or others, if
11 needed, for two years, as provided in the ordinance. If only one city
12 council member is to be elected at large at such first election, such
13 member shall serve for four years.

14 ~~(2) Commencing with the statewide primary election in 1976, and~~
15 ~~every two years thereafter, those candidates whose terms will be expiring~~
16 ~~shall be nominated at the statewide primary election and elected at the~~
17 ~~statewide general election.~~

18 Sec. 185. Section 71-1599, Reissue Revised Statutes of Nebraska, is
19 amended to read:

20 71-1599 All vacancies shall be filled for the unexpired terms. A
21 vacancy shall be filled not later than six months after the date of such
22 vacancy by the same authority and in the same manner as the previous
23 commissioner whose position has become vacant was appointed.

24 Sec. 186. Section 84-304, Revised Statutes Supplement, 2019, is
25 amended to read:

26 84-304 It shall be the duty of the Auditor of Public Accounts:

27 (1) To give information electronically to the Legislature, whenever
28 required, upon any subject relating to the fiscal affairs of the state or
29 with regard to any duty of his or her office;

30 (2) To furnish offices for himself or herself and all fuel, lights,
31 books, blanks, forms, paper, and stationery required for the proper

1 discharge of the duties of his or her office;

2 (3)(a) To examine or cause to be examined, at such time as he or she
3 shall determine, books, accounts, vouchers, records, and expenditures of
4 all state officers, state bureaus, state boards, state commissioners, the
5 state library, societies and associations supported by the state, state
6 institutions, state colleges, and the University of Nebraska, except when
7 required to be performed by other officers or persons. Such examinations
8 shall be done in accordance with generally accepted government auditing
9 standards for financial audits and attestation engagements set forth in
10 Government Auditing Standards (2011 Revision), published by the
11 Comptroller General of the United States, Government Accountability
12 Office, and except as provided in subdivision (10) of this section,
13 subdivision (16) of section 50-1205, and section 84-322, shall not
14 include performance audits, whether conducted pursuant to attestation
15 engagements or performance audit standards as set forth in Government
16 Auditing Standards (2011 Revision), published by the Comptroller General
17 of the United States, Government Accountability Office.

18 (b) Any entity, excluding the state colleges and the University of
19 Nebraska, that is audited or examined pursuant to subdivision (3)(a) of
20 this section and that is the subject of a comment and recommendation in a
21 management letter or report issued by the Auditor of Public Accounts
22 shall, on or before six months after the issuance of such letter or
23 report, provide to the Auditor of Public Accounts a detailed written
24 description of any corrective action taken or to be taken in response to
25 the comment and recommendation. The Auditor of Public Accounts may
26 investigate and evaluate the corrective action. The Auditor of Public
27 Accounts shall then electronically submit a report of any findings of
28 such investigation and evaluation to the Governor, the appropriate
29 standing committee of the Legislature, and the Appropriations Committee
30 of the Legislature. The Auditor of Public Accounts shall also ensure that
31 the report is delivered to the Appropriations Committee for entry into

1 the record during the committee's budget hearing process;

2 (4)(a) To examine or cause to be examined, at the expense of the
3 political subdivision, when the Auditor of Public Accounts determines
4 such examination necessary or when requested by the political
5 subdivision, the books, accounts, vouchers, records, and expenditures of
6 any agricultural association formed under Chapter 2, article 20, any
7 county agricultural society, any joint airport authority formed under the
8 Joint Airport Authorities Act, any city or county airport authority, any
9 bridge commission created pursuant to section 39-868, any cemetery
10 district, any community redevelopment authority or limited community
11 redevelopment authority established under the Community Development Law,
12 any development district, any drainage district, any health district, any
13 local public health department as defined in section 71-1626, any
14 historical society, any hospital authority or district, any county
15 hospital, any housing agency as defined in section 71-1575, any
16 irrigation district, any county or municipal library, any community
17 mental health center, any railroad transportation safety district, any
18 rural water district, any township, Wyuka Cemetery, the Educational
19 Service Unit Coordinating Council, any entity created pursuant to the
20 Interlocal Cooperation Act, any educational service unit, any village,
21 any service contractor or subrecipient of state or federal funds, any
22 political subdivision with the authority to levy a property tax or a
23 toll, or any entity created pursuant to the Joint Public Agency Act.

24 For purposes of this subdivision, service contractor or subrecipient
25 means any nonprofit entity that expends state or federal funds to carry
26 out a state or federal program or function, but it does not include an
27 individual who is a direct beneficiary of such a program or function or a
28 licensed health care provider or facility receiving direct payment for
29 medical services provided for a specific individual.

30 (b) The Auditor of Public Accounts may waive the audit requirement
31 of subdivision (4)(a) of this section upon the submission by the

1 political subdivision of a written request in a form prescribed by the
2 auditor. The auditor shall notify the political subdivision in writing of
3 the approval or denial of the request for a waiver.

4 (c) Through December 31, 2017, the Auditor of Public Accounts may
5 conduct audits under this subdivision for purposes of sections 2-3228,
6 12-101, 13-2402, 14-567, 14-1805.01, 14-2111, ~~15-1017~~, 16-1017, 16-1037,
7 19-3501, 23-1118, 23-3526, 71-1631.02, and 79-987.

8 (d) Beginning on May 24, 2017, the Auditor of Public Accounts may
9 conduct audits under this subdivision for purposes of sections 13-2402,
10 14-567, 14-1805.01, 14-2111, 15-1017, 16-1017, 16-1037, 18-814,
11 71-1631.02, and 79-987 and shall prescribe the form for the annual
12 reports required in each of such sections. Such annual reports shall be
13 published annually on the web site of the Auditor of Public Accounts;

14 (5) To report promptly to the Governor and the appropriate standing
15 committee of the Legislature the fiscal condition shown by such
16 examinations conducted by the auditor, including any irregularities or
17 misconduct of officers or employees, any misappropriation or misuse of
18 public funds or property, and any improper system or method of
19 bookkeeping or condition of accounts. The report submitted to the
20 committee shall be submitted electronically. In addition, if, in the
21 normal course of conducting an audit in accordance with subdivision (3)
22 of this section, the auditor discovers any potential problems related to
23 the effectiveness, efficiency, or performance of state programs, he or
24 she shall immediately report them electronically to the Legislative
25 Performance Audit Committee which may investigate the issue further,
26 report it electronically to the appropriate standing committee of the
27 Legislature, or both;

28 (6)(a) To examine or cause to be examined the books, accounts,
29 vouchers, records, and expenditures of a fire protection district. The
30 expense of the examination shall be paid by the political subdivision.

31 (b) Whenever the expenditures of a fire protection district are one

1 hundred fifty thousand dollars or less per fiscal year, the fire
2 protection district shall be audited no more than once every five years
3 except as directed by the board of directors of the fire protection
4 district or unless the auditor receives a verifiable report from a third
5 party indicating any irregularities or misconduct of officers or
6 employees of the fire protection district, any misappropriation or misuse
7 of public funds or property, or any improper system or method of
8 bookkeeping or condition of accounts of the fire protection district. In
9 the absence of such a report, the auditor may waive the five-year audit
10 requirement upon the submission of a written request by the fire
11 protection district in a form prescribed by the auditor. The auditor
12 shall notify the fire protection district in writing of the approval or
13 denial of a request for waiver of the five-year audit requirement. Upon
14 approval of the request for waiver of the five-year audit requirement, a
15 new five-year audit period shall begin.

16 (c) Whenever the expenditures of a fire protection district exceed
17 one hundred fifty thousand dollars in a fiscal year, the auditor may
18 waive the audit requirement upon the submission of a written request by
19 the fire protection district in a form prescribed by the auditor. The
20 auditor shall notify the fire protection district in writing of the
21 approval or denial of a request for waiver. Upon approval of the request
22 for waiver, a new five-year audit period shall begin for the fire
23 protection district if its expenditures are one hundred fifty thousand
24 dollars or less per fiscal year in subsequent years;

25 (7) To appoint two or more assistant deputies (a) whose entire time
26 shall be devoted to the service of the state as directed by the auditor,
27 (b) who shall be certified public accountants with at least five years'
28 experience, (c) who shall be selected without regard to party affiliation
29 or to place of residence at the time of appointment, (d) who shall
30 promptly report to the auditor the fiscal condition shown by each
31 examination, including any irregularities or misconduct of officers or

1 employees, any misappropriation or misuse of public funds or property,
2 and any improper system or method of bookkeeping or condition of
3 accounts, and it shall be the duty of the auditor to file promptly with
4 the Governor a duplicate of such report, and (e) who shall qualify by
5 taking an oath which shall be filed in the office of the Secretary of
6 State;

7 (8) To conduct audits and related activities for state agencies,
8 political subdivisions of this state, or grantees of federal funds
9 disbursed by a receiving agency on a contractual or other basis for
10 reimbursement to assure proper accounting by all such agencies, political
11 subdivisions, and grantees for funds appropriated by the Legislature and
12 federal funds disbursed by any receiving agency. The auditor may contract
13 with any political subdivision to perform the audit of such political
14 subdivision required by or provided for in section 23-1608 or 79-1229 or
15 this section and charge the political subdivision for conducting the
16 audit. The fees charged by the auditor for conducting audits on a
17 contractual basis shall be in an amount sufficient to pay the cost of the
18 audit. The fees remitted to the auditor for such audits and services
19 shall be deposited in the Auditor of Public Accounts Cash Fund;

20 (9) To develop and maintain an annual budget and actual financial
21 information reporting system for political subdivisions that is
22 accessible online by the public;

23 (10) When authorized, to conduct joint audits with the Legislative
24 Performance Audit Committee as described in section 50-1205; and

25 (11) Unless otherwise specifically provided, to assess the interest
26 rate on delinquent payments of any fees for audits and services owing to
27 the Auditor of Public Accounts at a rate of fourteen percent per annum
28 from the date of billing unless paid within thirty days after the date of
29 billing. For an entity created pursuant to the Interlocal Cooperation Act
30 or the Joint Public Agency Act, any participating public agencies shall
31 be jointly and severally liable for the fees and interest owed if such

1 entity is defunct or unable to pay.

2 Sec. 187. Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14,
3 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32,
4 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50,
5 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68,
6 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86,
7 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103,
8 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117,
9 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131,
10 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145,
11 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159,
12 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 172, 173, 174,
13 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 188, and 190
14 of this act become operative three calendar months after the adjournment
15 of this legislative session. The other sections of this act become
16 operative on their effective date.

17 Sec. 188. Original sections 13-2102, 14-1813, 15-103, 15-104,
18 15-105, 15-106, 15-106.01, 15-106.02, 15-108, 15-110, 15-111, 15-112,
19 15-113, 15-115, 15-116, 15-117, 15-118, 15-201, 15-201.01, 15-204,
20 15-205, 15-207, 15-208, 15-209, 15-210, 15-212, 15-215, 15-216, 15-217,
21 15-218, 15-219, 15-220, 15-221, 15-222, 15-223, 15-224, 15-225, 15-228,
22 15-229, 15-229.01, 15-229.02, 15-230, 15-231, 15-234, 15-235, 15-235.01,
23 15-235.03, 15-236, 15-237, 15-238, 15-239, 15-240, 15-242, 15-243,
24 15-244, 15-247, 15-250, 15-252, 15-254, 15-255, 15-256, 15-257, 15-258,
25 15-259, 15-261, 15-262, 15-263, 15-264, 15-265, 15-266, 15-268.01,
26 15-269, 15-270, 15-271, 15-272, 15-273, 15-274, 15-307, 15-308, 15-309,
27 15-309.01, 15-310, 15-311, 15-314, 15-315, 15-316, 15-317, 15-322,
28 15-326, 15-332, 15-401, 15-402, 15-403, 15-406, 15-501, 15-502, 15-701,
29 15-701.01, 15-701.02, 15-702.01, 15-702.02, 15-702.03, 15-702.04, 15-708,
30 15-717, 15-720, 15-724, 15-725, 15-726, 15-727, 15-728, 15-729, 15-734,
31 15-735, 15-751, 15-752, 15-753, 15-754, 15-807, 15-808, 15-809, 15-810,

1 15-811, 15-812, 15-813, 15-814, 15-816, 15-817, 15-818, 15-819, 15-821,
2 15-822, 15-823, 15-824, 15-834, 15-835, 15-840, 15-841, 15-842.01,
3 15-845, 15-848, 15-901, 15-902, 15-1101, 15-1102, 15-1103, 15-1104,
4 15-1105, 15-1106, 15-1201, 15-1204, 15-1205, 15-1305, and 71-1599,
5 Reissue Revised Statutes of Nebraska, sections 3-502, 15-102, 15-202,
6 15-211, 15-241, 15-268, 15-404, 15-709, 15-713, 15-718, 15-905, 15-1017,
7 15-1202, 15-1203, 17-105, 18-2109, 18-2115, 18-2117.02, 18-2117.03,
8 18-2142.05, 19-5205, and 19-5305, Revised Statutes Cumulative Supplement,
9 2018, and sections 13-2705, 16-401, 18-2101.02, 18-2103, 18-2115.01,
10 19-612, 19-927, 32-538, and 84-304, Revised Statutes Supplement, 2019,
11 are repealed.

12 Sec. 189. Original section 17-405.01, Revised Statutes Cumulative
13 Supplement, 2018, is repealed.

14 Sec. 190. The following sections are outright repealed: Sections
15 15-730, 15-731, 15-732, and 15-733, Reissue Revised Statutes of Nebraska.

16 Sec. 191 Since an emergency exists, this act takes effect when
17 passed and approved according to law.