

LEGISLATURE OF NEBRASKA
ONE HUNDRED SIXTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 797

FINAL READING

Introduced by Hansen, M., 26.

Read first time January 08, 2020

Committee: Urban Affairs

- 1 A BILL FOR AN ACT relating to cities and villages; to amend section
- 2 19-3052, Revised Statutes Supplement, 2019; to change restrictions
- 3 on annexation as prescribed; and to repeal the original section.
- 4 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 19-3052, Revised Statutes Supplement, 2019, is
2 amended to read:

3 19-3052 (1) For purposes of this section, municipality means any
4 city of the first class, city of the second class, or village which
5 elects members of the city council or village board of trustees by
6 districts.

7 (2) Any municipality which annexes territory and thereby brings
8 sufficient new residents into such municipality so as to require that
9 election districts be redrawn to maintain substantial population equality
10 between districts shall redistrict its election districts so that such
11 districts are substantially equal in population within one hundred and
12 eighty days after the effective date of the ordinance annexing the
13 territory. Such redistricting shall create election districts which are
14 substantially equal in population as determined by the most recent
15 federal decennial census or the most recent revised certified count by
16 the United States Bureau of the Census.

17 (3) No municipality which proposes to annex territory and thereby
18 bring new residents into the municipality shall annex such territory
19 unless the redistricting required by subsection (2) of this section will
20 be accomplished at least five months ~~eighty days~~ prior to the next
21 primary election in which candidates for the city council or village
22 board of trustees are nominated.

23 (4)(a) No city of the first class or city of the second class shall
24 annex any territory during the period from five months ~~eighty days~~ prior
25 to any primary election in which candidates for the city council are
26 nominated until the date of the general election of the same year if such
27 annexation would bring sufficient new residents into such city so as to
28 require that election districts be redrawn to maintain substantial
29 population equality between districts.

30 (b) No village shall annex any territory during the period five
31 months ~~eighty days~~ prior to the election at which members of the village

1 board of trustees are chosen until the date of such election if such
2 annexation would bring sufficient new residents into such village so as
3 to require that election districts be redrawn to maintain substantial
4 population equality between districts.

5 (5)(a) No proposed annexation by a municipality shall be restricted
6 or governed by this section unless such annexation would bring sufficient
7 new residents into such municipality so as to require the election
8 districts of the municipality to be redrawn to maintain substantial
9 population equality between districts.

10 (b) Nothing in this section shall be construed to require a
11 municipality to redraw the boundaries of its election districts following
12 an annexation unless such annexation brought sufficient new residents
13 into such municipality so as to require such redistricting to maintain
14 substantial population equality between districts.

15 (c) For the purposes of this section only, a municipal annexation
16 shall be held to have brought sufficient new residents into such
17 municipality so as to require that its election districts be redrawn to
18 maintain substantial population equality between districts if, following
19 such annexation, the total range of deviation from the mean population of
20 each election district, according to the most recent federal decennial
21 census or the most recent revised certified count by the United States
22 Bureau of the Census, exceeds ten percent.

23 Sec. 2. Original section 19-3052, Revised Statutes Supplement,
24 2019, is repealed.