

URBAN AFFAIRS COMMITTEE

NEBRASKA LEGISLATURE

SUMMARY OF 2020 LEGISLATION

One Hundred Sixth Legislature Second Session

Committee Members

Senator Justin Wayne, Chairperson, District 13
Senator Megan Hunt, Vice-Chairperson, District 8
Senator John Arch, District 14
Senator Tom Briese, District 41
Senator Sue Crawford, District 45
Senator Matt Hansen, District 26
Senator John Lowe, District 37

Committee Staff

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**LIST OF BILLS AND RESOLUTIONS REFERENCED TO THE
URBAN AFFAIRS COMMITTEE**

One Hundred Sixth Legislature, Second Session

2019 Carryover Bills

- LB 66** (Hansen, M.) Provide for an early childhood element in a comprehensive plan developed by a city
General File (page 19)
- LB 68** (Hansen, M.) Change provisions of the Business Improvement District Act as prescribed
Enacted (page 8)
- LB 85** (Wayne) Provide for a rental housing inspection program for a city of the metropolitan class or a city of the primary class
General File (pages 19-20)
- LB 95** (Wayne) Change applicability provisions for building codes
General File (page 20)
- LB 107** (Dorn) Change provisions relating to city and village plumbing boards and change a penalty
Enacted (pages 8-9)
- LB 136** (Wayne) Adopt the Density Bonus and Inclusionary Housing Act
Held in Committee (page 27)
- LB 197** (Urban Affairs Committee) Provide a procedure for detachment of real property from the corporate limits of a city or village and eliminate existing detachment provisions
Held in Committee (page 27)
- LB 234** (Wayne) Provide requirements for payment of claims by cities and villages
Held in Committee (page 27)
- LB 317** (Kolterman) Eliminate Public Service Commission inspection authority under the Nebraska Uniform Standards for Modular Housing Units Act and eliminate applicability and references to manufactured homes under

the Uniform Standard Code for Manufactured Homes and Recreational Vehicles and rename the code
Held in Committee (pages 27-28)

- LB 424** (Quick) Change the Nebraska Municipal Land Bank Act
Enacted (pages 9-11)
Portions/Provisions of LB 1178 were amended into LB 424
- LB 520** (McDonnell) Provide requirements for safety standards and operating procedures for road construction and maintenance in cities of the metropolitan class
General File (page 20)
- LB 648** (Wayne) Change the Community Development Law
Held in Committee (page 28)
- LB 721** (Lindstrom) Provide for insurance eligibility for spouses and dependents of deceased or disabled firefighters of cities of the first-class
Held in Committee (pages 28)
- LB 731** (Hunt) Change provisions relating to new or updated comprehensive plans adopted by municipalities
Enacted (page 11)
- LB 743** (Blood) Adopt updated electrical standards
Held in Committee (page 29)
- LB 794** (Hansen, M.) Adopt the Missing Middle Housing Act and provide zoning regulation requirements for certain cities
Held in Committee (page 29)
Portions/Provisions of LB 794 were amended into LB 866
- LB 795** (Hansen, M.) Change provisions relating to enterprise zones
General File (page 21)
Portions/Provisions of LB 795 were amended into LB 1003
- LB 796** (Hansen, M.) Change provisions relating to claims against a city of the primary class
Held in Committee (page 29)
- LB 797** (Hansen, M.) Change restrictions on municipal annexation
Enacted (page 12)

- LB 799** (Urban Affairs Committee) Change provisions relating to cities of the primary class
General File (page 21)
Portions/Provisions of LB 799 were amended into LB 1003
- LB 800** (Urban Affairs Committee) Provide for the applicability of state and local construction codes
General File (pages 21-22)
Portions/Provisions of LB 809 and LB 824 were amended into LB 800
- LB 801** (Urban Affairs Committee) Change and eliminate provisions of the Community Development Law
General File (pages 22-23)
Portions/Provisions of LB 801 were amended into LB 1003
- LB 809** (Wayne) Adopt 2018 Uniform Plumbing Code standards
General File (page 23)
Portions/Provisions of LB 809 were amended into LB 800
- LB 821** (Brewer) Change provisions relating to city or village planning commission meetings
General File (page 23)
Portions/Provisions of LB 821 were amended into LB 1003
- LB 824** (Hunt) Change provisions related to state and local building codes
General File (pages 23-24)
Portions/Provisions of LB 824 were amended into LB 800
- LB 864** (Wayne) Adopt the Bed Bug Detection and Treatment Act for cities of the metropolitan class
Held in Committee (pages 29-30)
- LB 866** (Wayne) Adopt the Density Bonus and Inclusionary Housing Act
Enacted (pages 12-13)
Portions/Provisions of LB 794 and LB 1155 were amended into LB 866
- LB 867** (Hansen, M.) Adopt the Local Option Municipal Childcare Financing Act
Held in Committee (page 30)
- LB 870** (Crawford) Change provisions relating to direct borrowing by cities and villages
Enacted (page 14)

- LB 876 (Walz) Change provisions of the Community Development Law relating to limitations on blighted areas
General File (page 24)
- LB 885 (Bolz) Change requirements for grant applications under the Civic and Community Center Financing Act
General File (page 24)
Portions/Provisions of LB 885 were amended into LB 1003
- LB 957 (Walz) Change quorum requirements for city councils of cities of the first and second class
General File (pages 24-25)
Portions/Provisions of LB 957 were amended into LB 1003
- LB 960 (Friesen) Change accounting of income provisions and provide a requirement for use of funds under the Municipal Proprietary Function Act
Held in Committee (page 30)
- LB 973 (Kolowski) Adopt the Homeowner Association Act
Held in Committee (page 31)
- LB 976 (Bolz) Redefine handicapped or disabled person for purposes of handicapped or disabled parking permits
General File (page 25)
Portions/Provisions of LB 976 were amended into LB 944
- LB 984 (Hunt) Provide deadlines for filling vacancies on certain city or village boards, authorities, or agencies
General File (page 25)
Portions/Provisions of LB 984 were amended into LB 1003
- LB 993 (Lowe) Change provisions regarding the number of city council members in cities adopting the city manager plan of government
General File (pages 25-26)
Portions/Provisions of LB 993 were amended into LB 1003
- LB 999 (Wayne) Require cities and villages to pay for appointed counsel for prosecutions and adjudications for violation of city and village ordinances
Held in Committee (page 31)
- LB 1003 (Walz) Provide annexation powers to cities of the second class and villages for relocation due to catastrophic flooding
Enacted (pages 14-17)

Portions/Provisions of LB 795, LB 799, LB 801, LB 821, LB 885, LB 957, LB 984, and LB 993 were amended into LB 1003

- LB 1021** (Groene) Provide for an expedited review of certain redevelopment plans under the Community Development Law
Enacted (pages 17-18)
- LB 1077** (Wayne) Change legislative declarations and findings relating to traffic congestion in municipal areas
Held in Committee (page 31)
- LB 1078** (Wayne) Adopt the Municipal Inland Port Authority Act
Held in Committee (pages 31-32)
- LB 1114** (Hansen, M.) Change election provisions for sanitary and improvement districts
Held in Committee (page 32)
- LB 1116** (Morfeld) Adopt the New School Construction and Water Access Act
Held in Committee (page 32)
- LB 1135** (Wayne) Provide duties for a city attorney of a city of the metropolitan class and provide a prosecutorial exception for city and village attorneys
Held in Committee (page 33)
- LB 1155** (Vargas) Adopt the Middle Income Workforce Housing Investment Act and transfer funds from the General Fund
General File (page 26)
Portions/Provisions of LB 1155 were amended into LB 866
- LB 1178** (Wayne) Prohibit land banks from entering into certain agreements to temporarily hold real property
General File (page 26)
Portions/Provisions of LB 1178 were amended into LB 424
- LB 1222** (Wayne) Adopt the Municipal Police Oversight Act
Held in Committee (page 33)

BILL SUMMARIES: 2019 CARRYOVER BILLS ENACTED

LB 68 (Hansen) Change provisions of the Business Improvement District Act as prescribed

LB 68 allows cities to amend ordinances governing business improvement districts (BIDs) to change BID boundaries or change the functions or provisions of an existing BID. Currently, cities can only amend BID ordinances to expand the boundaries of an existing BID.

LB 68 also makes a number of clean-up and technical changes to the Business Improvement District Act.

The committee amendment, AM 334, struck several sections in the bill which were wholly contained in another bill heard by the committee, LB 193, which was passed by the Legislature in 2019.

On General File, the bill was further amended with AM 2097, which correlated the bill with legislation which was passed by the Legislature in 2019.

LB 107 (Dorn) Change provisions relating to city and village plumbing boards and change a penalty

LB 107 updates and modernizes the statutes governing municipal plumbing boards. The bill makes a variety of clean-up changes, including: 1) extending the term of office for plumbers serving on plumbing boards from three years to four years; 2) eliminating the requirement that plumbing boards be appointed in August of each year; 3) eliminating the requirement that plumbing boards meet every two weeks and requiring that plumbing boards meet at least once each year; 4) allowing fees for plumbing licenses and variances to be set by the city council or village board of trustees; 5) increasing fine amounts for violations of the plumbing board statutes; and 6) providing that municipalities may apply other applicable regulations, such as continuing education requirements, as part of plumbing licensing.

The committee amendment, AM 356, required that a plumbing board call a meeting upon written request of a license applicant, licensee, or member of the plumbing board within four weeks of such written request.

AM 356 also provided that the cost of licensing fees shall not exceed the cost of the licensing program.

On Select File, the bill was further amended with AM 2117, which placed a cap of twenty-five dollars on the fees charged for plumbing licenses.

LB 424 (Quick) Change the Nebraska Municipal Land Bank Act

LB 424 amends the Nebraska Municipal Land Bank Act to make a number of changes, including: 1) enabling any municipality in the state to create a land bank; 2) requiring that all land banks other than one formed by a city of the metropolitan class must be a joint land bank; 3) establishing procedures for the removal of land bank board members; 4) increasing the number of factors that must be met before a land bank may submit an automatically accepted bid in tax foreclosure sales; 5) providing that factors that must be met for a land bank to submit an automatically accepted bid must apply to major buildings, and not just any building; 6) requiring city council or village board of trustees approval of non-voting land bank board members; 7) limiting the amount of commercial property that a land bank can hold legal title to; 8) increasing the total number of parcels within a city of the first class, city of the second class, or village that a land bank can hold legal title to; 9) providing procedures for municipalities to join an existing land bank; 10) clarifying that land banks do not have property tax levy authority; 11) removing the requirement that joint land banks contain at least one voting member from each district or ward in the largest municipality that formed the land bank; 12) adding a definition of “chief executive officer”; 13) clarifying that land banks may enter into agreements under the Interlocal Cooperation Act for the joint administration of multiple land banks; and 14) transferring the Act from Chapter 19 to Chapter 18.

The committee amendment, AM 509, provided that a city of the primary class may create a land bank without having to form a joint land bank.

On General File, the bill was further amended with AM 2122, AM 2568, and AM 2847.

Provisions of AM 2122

AM 2122 made a series of changes to the bill, including: 1) requiring that joint land banks including a city of the metropolitan class or city of the primary class have at least one board member representing each

municipality that has joined the land bank; 2) clarifying that a two-thirds vote of the board is required before a land bank may submit an automatically accepted bid; 3) further increasing the number of factors that must be met before a land bank may submit an automatically accepted bid; 4) allowing for the removal of land bank board members for other good cause; 5) eliminating the “catch-all” provision for the use of the automatically accepted bid; 6) decreasing the total number of parcels within a city of the primary class that a land bank can hold legal title to; and 7) prohibiting a land bank from acquiring commercial property unless such property has been vacant for at least three years.

Provisions of AM 2568

AM 2568 incorporated the provisions of LB 1178 (as amended by AM 2539) into the bill.

LB 1178, as amended, prohibits land banks from entering into agreements with nonprofit corporations or other private entities for the purpose of temporarily holding real property for such nonprofit corporations or private entities, with the exception that a land bank may enter into an agreement to temporarily hold real property for the purpose of providing clear title to the property. Such agreements shall not exceed a period of one year.

AM 2568 also clarified the ability of land banks to extinguish liens for special assessments.

Provisions of AM 2847

AM 2847 made a series of additional changes to the bill, including: 1) prohibiting a land bank from investing in anything owned by a board member, employee, a board member or employee’s immediate family, or a business or entity in which a board member or employee has an ownership interest; 2) terminating the authority of land banks to issue revenue bonds; 3) adding a definition of “immediate family”; 4) clarifying that a land bank may not receive property tax revenue from a political subdivision pursuant to an agreement under the Joint Public Agency Act; and 5) providing that a land bank may be dissolved by either a two-thirds vote of the governing body of the municipality that created a “solo” land bank or a majority vote of the governing body of each municipality that created a joint land bank.

On Select File, the bill was further amended with AM 3290, which made a final series of changes to the bill, including: 1) prohibiting a land bank from investing in anything in which a board member, employee, a board member or employee's immediately family, or a business or entity in which a board member or employee has an ownership interest has a direct or indirect interest; 2) decreasing the total number of parcels within a city of the primary class, city of the first class, city of the second class, or village that a land bank can hold legal title to; 3) requiring that a copy of each land bank annual report be provided to the Speaker of the Legislature and Chairperson of the Legislature's Executive Board; 4) specifying the contents of land bank annual reports; 5) clarifying that if a land bank must acquire property at a sheriff's sale due to lack of bidders and such acquisition would result in the land bank exceeding the total number of parcels that a land bank can hold legal title to, such acquisition shall not be counted towards such limit; 6) limiting the authority to submit an automatically accepted bid to land banks created by a city of the metropolitan class that border a county in which at least three cities of the first class are located; and 7) restoring the authority to submit an automatically accepted bid under current law for land banks created by a city of the metropolitan class that border a county in which at least three cities of the first class are located.

On Final Reading, a motion to invoke cloture and cease debate on the bill prevailed.

LB 731 (Hunt) Change provisions relating to new or updated comprehensive plans adopted by municipalities

LB 731 repeals the statutory deadlines for cities to include an energy element in their comprehensive plans. These deadlines passed on January 1, 2015.

The committee amendment, AM 607, also repealed the statutory deadline for counties to include an energy element in their comprehensive plans. This deadline also passed on January 1, 2015.

BILL SUMMARIES: 2020 BILLS ENACTED

LB 797 (Hansen, M.) Change restrictions on municipal annexation

LB 797 changes current restrictions on the annexation of territory by cities of the first class, cities of the second class, and villages. Under the bill, a city of the first class, city of the second class, or village which elects its city council or village board of trustees by district cannot annex any territory during the period from five months prior to the primary election through the general election if such annexation would bring sufficient new residents into the city or village so as to require the city council districts or village board of trustees districts to be redrawn to maintain substantial population equality between districts.

LB 797 also requires that any redistricting required to maintain substantial population equality between the city council districts or village board of trustees districts must be completed at least five months prior to the primary election in which candidates for the city council or village board of trustees are nominated.

LB 866 (Wayne) Adopt the Density Bonus and Inclusionary Housing Act

LB 866 adopts the Density Bonus and Inclusionary Housing Act. The Act is designed to incentivize affordable housing projects in cities of the metropolitan class, cities of the primary class, and cities of the first class by providing residential density increases and regulatory concessions and incentives for housing developments that include a certain percentage of income-restricted rental units for low-income or very low-income residents.

The committee amendment, AM 2913, replaced the contents of the original bill with a new Act, the Municipal Density and Missing Middle Housing Act. AM 2913 incorporated several concepts from LB 794, which would have adopted the Missing Middle Housing Act.

Under the Municipal Density and Missing Middle Housing Act: 1) On or before July 1, 2021, and every two years thereafter, each city of the metropolitan class, city of the primary class, and city of the first class with a population over 20,000 must submit a report to the Urban Affairs Committee regarding its current efforts to address the availability of and incentives for affordable housing; 2) On or before January 1, 2023, each

city of the metropolitan class, city of the primary class, and city of the first class with a population of 50,000 or more must adopt an affordable housing action plan; 3) On or before January 1, 2024, each city of the first class with a population between 20,000 and 50,000 must adopt an affordable housing action plan; and 4) Any city of the metropolitan class, city of the primary class, or city of the first class with a population over 20,000 which fails to adopt an affordable housing action plan by January 1, 2023 or January 1, 2024 would be required to adopt a default housing plan. Under the default housing plan, the city would be required to amend its zoning ordinances to allow the development of middle housing in areas currently zoned for single-family residential dwellings. Middle housing is defined to include duplexes, triplexes, quadplexes, cottage clusters, and townhouses.

On Select File, the bill was further amended with AM 3356 and AM 3387.

Provisions of AM 3356

AM 3356 incorporated the provisions of LB 1155 (as amended by AM 2482) into the bill, with several technical changes.

LB 1155, as amended, adopts the Middle Income Workforce Housing Investment Act. The Act establishes a workforce housing investment grant program to foster and support the development of workforce housing in urban communities.

The grant program created under LB 1155 is funded through a one-time transfer of \$10 million from the General Fund.

LB 1155, as amended, contained the Emergency Clause.

Provisions of AM 3387

AM 3387 added language to provide for the transfer and appropriation of funds to implement the provisions of AM 3356.

On Final Reading, LB 866 failed to pass with the Emergency Clause attached. A motion to pass the bill with the Emergency Clause stricken prevailed.

LB 870 (Crawford) Change provisions relating to direct borrowing by cities and villages

LB 870 authorizes municipalities to borrow directly from financial institutions in order to repair or reconstruct real or personal property, improvements, or infrastructure damaged as a result of a natural disaster or for the provision of public services temporarily disrupted or suspended as a result of a natural disaster. Any direct borrowing under these additional eligible uses would not fall under the limitations on the total amount of indebtedness from direct borrowing that can be attributed to a single year.

Eligible natural disasters under LB 870 include fires, earthquakes, floods, or tornados.

The committee amendment, AM 2182, struck the provision exempting direct borrowing in order to repair or reconstruct real or personal property, improvements, or infrastructure damaged as a result of a natural disaster or for the provision of public services temporarily disrupted or suspended as a result of a natural disaster from the limitations on the total amount of indebtedness from direct borrowing that can be attributed to a single year.

On Select File, the bill was further amended with AM 2613, which added the Emergency Clause to the bill.

LB 1003 (Walz) Provide annexation powers to cities of the second class and villages for relocation due to catastrophic flooding

LB 1003 authorizes cities of the second class and villages to annex noncontiguous land for the purpose of relocating part or all of the city or village due to catastrophic flooding. Any annexation of noncontiguous land under the bill would require a two-thirds vote of the city council or village board of trustees.

In the event of an annexation of noncontiguous land under the bill, the annexing city or village would not be eligible to exercise extraterritorial zoning jurisdiction (ETJ) authority over the area surrounding the newly-annexed area without the agreement of any other city, village, or county currently exercising zoning jurisdiction over the area.

The committee amendment, AM 2651, made two changes to the underlying bill and incorporated the provisions of eight other municipal-related bills into the bill: LB 795, LB 799, LB 801 (as amended by AM 2142), LB 821, LB 885, LB 957, LB 984, and LB 993 (as amended by AM 2138).

Changes to LB 1003

AM 2651 added a definition of “catastrophic flooding” and added the Emergency Clause to the bill (only for the provisions of the underlying bill, LB 1003).

Provisions of LB 795

LB 795 amends the Enterprise Zone Act to provide that unemployment criteria to determine eligibility for designation as an enterprise zone is based on an average rate of unemployment as determined by either the most recent federal decennial census or American Community Survey 5-year Estimate.

Provisions of LB 799

LB 799 modernizes and updates statutes governing cities of the primary class.

The bill amends sections of statute in Chapter 15 to make a variety of clean-up changes, including: 1) changing and correcting terminology; 2) changing subject-verb agreement; 3) clarifying references to cities’ extraterritorial zoning jurisdiction (ETJ) or corporate limits; 4) clarifying references to legal newspapers; 5) correcting references to city officials; 6) correcting gender references; 7) correcting internal statutory references; 8) eliminating run-on sentences; 9) harmonizing references to other statutory sections within Chapter 15; and 10) replacing or eliminating antiquated, obsolete, or unnecessary language.

Provisions of LB 801

LB 801, as amended, makes a series of clean-up changes to the Community Development Law related to tax-increment financing (TIF). These changes include: 1) further consolidating all TIF notice requirements into a single section of the Community Development Law and reorganizing the notice section for clarity; 2) clarifying that the annual TIF reports to the governing body are only required for active TIF projects within the municipality, not all TIF projects historically; 3) clarifying that

language allowing the reimbursement of certain specified costs incurred prior to the approval of a redevelopment project does not require the reimbursement of legal fees related to such costs; 4) clarifying that additional requirements for TIF projects for the construction of workforce housing only apply if the project expressly carries out the construction of workforce housing; 5) clarifying that a municipality may not approve a redevelopment plan unless the governing body has declared the area substandard and blighted; 6) clarifying that a community development agency has the same powers as a community development authority; 7) providing a definition for substantial modification, which is currently undefined; and 8) correcting a reference to redevelopment projects in the definition of community redevelopment area.

Provisions of LB 821

LB 821 allows the planning commission for a city of the first class, city of the second class, or village to cancel a quarterly meeting if there is no business pending before the commission.

Under the bill, no more than three quarterly meetings of the planning commission may be cancelled in a single calendar year.

Provisions of LB 885

LB 885 amends the Civic and Community Center Financing Act to change requirements for grants under the Act for the preservation, restoration, conversion, rehabilitation, or reuse of a historic building or district.

Under the bill, an applicant must submit a notification of approval from the State Historic Preservation Officer with their grant application indicating that the work proposed in the application conforms to the United States Secretary of the Interior's Standards for the Treatment of Historic Properties in order to be eligible for grant consideration.

Provisions of LB 957

LB 957 allows the mayor of a city of the first class or city of the second class to be deemed a member of the city council for purposes of establishing a quorum when the mayor's presence is necessary to establish a quorum.

Under the bill, the mayor could only be deemed a member of the city council for purposes of establishing a quorum in cities where the city council consists of four members.

Provisions of LB 984

LB 984 requires that vacancies on certain municipally-appointed boards, authorities, and agencies be filled no later than six months after the date of the vacancy.

Under the bill, vacancies on airport authority boards, metropolitan transit authority boards, land bank boards, riverfront development authority boards, and housing authority boards that are appointed must be filled no later than six months after the date of the vacancy.

Provisions of LB 993

LB 993, as amended, allows cities with a population between 10,000 and 25,000 under the City Manager Plan of Government Act to expand the size of their city council from five members to seven members and transfers relevant provisions to the City Manager Plan of Government Act.

LB 1021 (Groene) Provide for an expedited review of certain redevelopment plans under the Community Development Law

LB 1021 creates an expedited review process for certain redevelopment projects under the Community Development Law that utilize tax-increment financing (TIF). Under the bill, a redevelopment project would be eligible for an expedited review if it meets the following criteria: 1) the redevelopment project involves the repair, rehabilitation, or replacement of an existing structure located within an existing substandard and blighted area; 2) the redevelopment project is located in a county with a population of less than 100,000 inhabitants or in an area that has been declared an extremely blighted area; 3) the existing structure to be repaired, rehabilitated, or replaced is at least 50 years old; and 4) the redevelopment project is for an amount not to exceed \$250,000 for a single-family residential structure, \$1 million for a multi-family or commercial structure, or \$10 million for a project involving the revitalization of a structure included in the National Register of Historic Places.

The committee amendment, AM 2988, made a number of changes to the expedited review process, including: 1) providing that a municipality may elect by resolution to allow expedited reviews of redevelopment plans under the bill; 2) providing that if a municipality has elected to allow expedited review of redevelopment plans, the governing body shall

approve submitted redevelopment plans that meet statutory requirements within thirty days after submission of the plan; 3) limiting the eligibility of expedited reviews to redevelopment projects located in a county with a population of less than 100,000 inhabitants; 4) increasing the age of existing structures eligible for expedited review to at least 60 years old; 5) providing that for redevelopment projects that utilize TIF receiving an expedited review, the municipality shall incur indebtedness in the form of a promissory note issued to the owner of record of the property on which the structure identified in the redevelopment plan is located; 6) requiring that the Department of Revenue develop a standard certification form to be used by county assessors to certify the valuation of redevelopment projects receiving expedited reviews; 7) allowing municipalities to file a single report with the Property Tax Administrator for all redevelopment plans that utilize TIF receiving an expedited review; 8) clarifying that the maximum assessed value of property within a redevelopment project that receives an expedited review is based off the estimated value of the property when the project is complete; 9) clarifying that the municipality may require the submission of other permits necessary to complete a redevelopment project that receives an expedited review; 10) clarifying that the application fee for an expedited review is separate from any fees for building permits or other permits needed for the redevelopment project; and 11) harmonizing provisions.

BILL SUMMARIES: 2019 BILLS ON GENERAL FILE

LB 66 (Hansen) Provide for an early childhood element in a comprehensive plan developed by a city

LB 66 requires that cities include an early childhood element in their comprehensive plans no later than January 1, 2022, either when adopting a new comprehensive plan or updating an existing comprehensive plan.

The committee amendment, AM 56, clarified that the January 1, 2022 date is a deadline and not a sunset clause.

During General File debate on LB 66, the committee amendment was not adopted, and the bill failed to advance from General File.

LB 85 (Wayne) Provide for a rental housing inspection program for a city of the metropolitan class or a city of the primary class

LB 85 requires that each city of the metropolitan class or city of the primary class adopt a rental housing inspection program to help enforce local building codes on residential rental properties within the city. Under the bill, residential rental properties would generally be required to register with the city and be inspected at least once every three years.

Under LB 85, cities would have the option to charge registration fees to help cover the cost of the inspections, provide for less frequent inspections of properties with a history of code compliance, and conduct random sampling inspections on multi-unit residential rental properties.

The committee amendment, AM 66, made a series of changes to the bill, including: 1) providing that the bill does not apply to cities of the primary class; 2) creating a three-year phase-in for the landlord registry and inspection program; 3) excluding new construction from the inspection requirements for five years after construction is completed; 4) excluding buildings that are otherwise regularly inspected due to other state or federal requirements from the inspection requirements; 5) providing that only properties owned by a housing authority would be exempt from the registration requirements; 6) allowing the city to consider history of code compliance when establishing any registration fees; 7) adding legislative findings regarding the enforcement of local building codes being a matter of state concern; and 8) allowing the city to establish an escrow account

where monthly rental fees are deposited for units found to be in code violation and held in escrow until such units are code compliant.

LB 95 (Wayne) Change applicability provisions for building codes

LB 95 requires that for the construction or repair of state-owned buildings beginning on or after January 1, 2020, state agencies must comply with local building and construction codes to the extent that such codes meet or exceed the standards of the state building code. Currently, state agencies are only required to comply with the state building code.

The committee amendment, AM 2399, clarified that for state-owned buildings that are built in phases, the building shall be deemed constructed or repaired on the date the first phase of construction or repair begins.

The amendment also changed the required date for state agencies to comply with local building and construction codes to January 1, 2022.

LB 520 (McDonnell) Provide requirements for safety standards and operating procedures for road construction and maintenance in cities of the metropolitan class

LB 520 requires that beginning January 1, 2020, cities of the metropolitan class must update their safety standards and operating procedures for road construction and maintenance on an annual basis. Under the bill, the safety standards and operating procedures shall include, but not be limited to, provisions governing the number of vehicles and employees needed at a given time to safely complete a project.

BILL SUMMARIES: 2020 BILLS ON GENERAL FILE

LB 795 (Hansen, M.) Change provisions relating to enterprise zones

LB 795 amends the Enterprise Zone Act to provide that unemployment criteria to determine eligibility for designation as an enterprise zone is based on an average rate of unemployment as determined by either the most recent federal decennial census or American Community Survey 5-year Estimate.

Portions/Provisions of LB 795 were amended into LB 1003.

LB 799 (Urban Affairs Committee) Change provisions relating to cities of the primary class

LB 799 modernizes and updates statutes governing cities of the primary class.

The bill amends sections of statute in Chapter 15 to make a variety of clean-up changes, including: 1) changing and correcting terminology; 2) changing subject-verb agreement; 3) clarifying references to cities' extraterritorial zoning jurisdiction (ETJ) or corporate limits; 4) clarifying references to legal newspapers; 5) correcting references to city officials; 6) correcting gender references; 7) correcting internal statutory references; 8) eliminating run-on sentences; 9) harmonizing references to other statutory sections within Chapter 15; and 10) replacing or eliminating antiquated, obsolete, or unnecessary language.

Portions/Provisions of LB 799 were amended into LB 1003.

LB 800 (Urban Affairs Committee) Provide for the applicability of state and local construction codes

LB 800 clarifies that either the state building code or the local building or construction code adopted by a county, city, or village is the legally applicable building code regardless of whether the state, state agency, or applicable county, city, or village has provided for the administration or enforcement of such building code.

The committee amendment, AM 2393, incorporated the provisions of LB 809 and LB 824 (as amended by AM 2133) into the bill.

Provisions of LB 809

LB 809 updates Nebraska’s default plumbing code to the 2018 Uniform Plumbing Code (UPC). The current default plumbing code is the 2009 UPC.

The default plumbing code applies in counties, cities, and villages that have not adopted their own local plumbing code.

Provisions of LB 824

LB 824, as amended, amends the Building Construction Act to eliminate redundant language regarding the state building code and correct a reference to the Department of Environment and Energy.

LB 824, as amended, contains an operative date of July 1, 2020 and the Emergency Clause.

LB 801 (Urban Affairs Committee) Change and eliminate provisions of the Community Development Law

LB 801 makes a series of clean-up changes to the Community Development Law related to tax-increment financing (TIF). These changes include: 1) further consolidating all TIF notice requirements into a single section of the Community Development Law and reorganizing the notice section for clarity; 2) clarifying that the annual TIF reports to the governing body are only required for active TIF projects within the municipality, not all TIF projects historically; 3) clarifying that language allowing the reimbursement of certain specified costs incurred prior to the approval of a redevelopment project does not require the reimbursement of legal fees related to such costs; 4) clarifying that additional requirements for TIF projects for the construction of workforce housing only apply if the project expressly carries out the construction of workforce housing; 5) clarifying that a municipality may not approve a redevelopment plan unless the governing body has declared the area substandard and blighted; 6) clarifying that a community development agency has the same powers as a community development authority; and 7) providing a definition for substantial modification, which is currently undefined.

The committee amendment, AM 2142, corrected a reference to redevelopment projects in the definition of community redevelopment area.

Portions/Provisions of LB 801 were amended into LB 1003.

LB 809 (Wayne) Adopt 2018 Uniform Plumbing Code standards

LB 809 updates Nebraska’s default plumbing code to the 2018 Uniform Plumbing Code (UPC). The current default plumbing code is the 2009 UPC.

The default plumbing code applies in counties, cities, and villages that have not adopted their own local plumbing code.

Portions/Provisions of LB 809 were amended into LB 800.

LB 821 (Brewer) Change provisions relating to city or village planning commission meetings

LB 821 allows the planning commission for a city of the first class, city of the second class, or village to cancel a quarterly meeting if there is no business pending before the commission.

Under the bill, no more than three quarterly meetings of the planning commission may be cancelled in a single calendar year.

Portions/Provisions of LB 821 were amended into LB 1003.

LB 824 (Hunt) Change provisions relating to state and local building codes

LB 824 amends the Building Construction Act to eliminate redundant language regarding the state building code and correct a reference to the Department of Environment and Energy.

LB 824 contains an effective date of July 1, 2020.

The committee amendment, AM 2133, added the Emergency Clause to the bill.

Portions/Provisions of LB 824 were amended into LB 800.

LB 876 (Walz) Change provisions of the Community Development Law relating to limitations on blighted areas

LB 876 exempts areas which have been designated as an extremely blighted area from the maximum percentage of a city or village that may be designated as a blighted area under the Community Development Law.

LB 885 (Bolz) Change requirements for grant applications under the Civic and Community Center Financing Act

LB 885 amends the Civic and Community Center Financing Act to change requirements for grants under the Act for the preservation, restoration, conversion, rehabilitation, or reuse of a historic building or district.

Under the bill, an applicant must submit a notification of approval from the State Historic Preservation Officer with their grant application indicating that the work proposed in the application conforms to the United States Secretary of the Interior's Standards for the Treatment of Historic Properties in order to be eligible for grant consideration.

Portions/Provisions of LB 885 were amended into LB 1003.

LB 957 (Walz) Change quorum requirements for city councils of cities of the first and second class

LB 957 allows the mayor of a city of the first class or city of the second class to be deemed a member of the city council for purposes of establishing a quorum when the mayor's presence is necessary to establish a quorum.

Under the bill, the mayor could only be deemed a member of the city council for purposes of establishing a quorum in cities where the city council consists of four members.

Portions/Provisions of LB 957 were amended into LB 1003.

LB 976 (Bolz) Redefine handicapped or disabled person for purposes of handicapped or disabled parking permits

LB 976 amends Nebraska's handicapped parking statutes to change the definition of handicapped or disabled person.

Under the bill, individuals with neurological impairments would be eligible to apply for a handicapped or disabled parking permit.

Portions/Provisions of LB 976 were amended into LB 944, a bill heard by the Transportation & Telecommunications Committee.

LB 984 (Hunt) Provide deadlines for filling vacancies on certain city or village boards, authorities, or agencies

LB 984 requires that vacancies on certain municipally-appointed boards, authorities, and agencies be filled no later than six months after the date of the vacancy.

Under the bill, vacancies on airport authority boards, metropolitan transit authority boards, land bank boards, riverfront development authority boards, and housing authority boards that are appointed must be filled no later than six months after the date of the vacancy.

Portions/Provisions of LB 984 were amended into LB 1003.

LB 993 (Lowe) Change provisions regarding the number of city council members in cities adopting the city manager plan of government

LB 993 allows cities with a population between 10,000 and 25,000 under the City Manager Plan of Government Act to expand the size of their city council from five members to seven members.

The committee amendment, AM 2138, transferred provisions of the bill to the City Manager Plan of Government Act and made several other corrective changes.

Portions/Provisions of LB 993 were amended into LB 1003.

LB 1155 (Vargas) Adopt the Middle Income Workforce Housing Investment Act and transfer funds from the General Fund

LB 1155 adopts the Middle Income Workforce Housing Investment Act. The Act establishes a workforce housing investment grant program to foster and support the development of workforce housing in urban communities.

The grant program created under LB 1155 would be funded through a one-time transfer of \$10 million from the General Fund.

The committee amendment, AM 2482, made several technical changes to the bill, including: 1) defining “qualified census tract”; 2) updating references to federal statutes; and 3) clarifying maximum valuation limits for workforce housing units.

Portions/Provisions of LB 1155 were amended into LB 866.

LB 1178 (Wayne) Prohibit land banks from entering into certain agreements to temporarily hold real property

LB 1178 prohibits land banks from entering into agreements with nonprofit corporations or other private entities for the purpose of temporarily holding real property for such nonprofit corporations or private entities.

The committee amendment, AM 2539, allowed land banks to enter into agreements with nonprofit corporations or other private entities to temporarily hold real property only for the purpose of providing clear title to the property. Such agreements shall not exceed a period of one year.

Portions/Provisions of LB 1178 were amended into LB 424.

BILL SUMMARIES: 2019 CARRYOVER BILLS HELD IN COMMITTEE

LB 136 (Wayne) Adopt the Density Bonus and Inclusionary Housing Act

LB 136 adopts the Density Bonus and Inclusionary Housing Act. The Act is designed to incentivize affordable housing projects in cities of the metropolitan class, cities of the primary class, and cities of the first class by providing residential density increases and regulatory concessions and incentives for housing developments that include a certain percentage of income-restricted rental units for low-income or very low-income residents.

LB 197 (Urban Affairs Committee) Provide a procedure for detachment of real property from the corporate limits of a city or village and eliminate existing detachment provisions

LB 197 establishes uniform procedures for the detachment of territory from the corporate limits of municipalities. Under the bill, the procedure for the detachment of territory for all classes of municipalities would mirror the current process for cities of the first class.

LB 234 (Wayne) Provide requirements for payment of claims by cities and villages

LB 234 requires that municipalities provide payment of claims to small businesses on or before the fifteenth day after the later of the day either the items were furnished or the services were rendered or the bill was received for the items or services.

LB 317 (Kolterman) Eliminate Public Service Commission inspection authority under the Nebraska Uniform Standards for Modular Housing Units Act and eliminate applicability and references to manufactured homes under the Uniform Standard Code for Manufactured Homes and Recreational Vehicles and rename the code

LB 317 eliminates the inspection authority of the Nebraska Public Service Commission over manufactured homes under the Uniform Standard Code

for Manufactured Homes and Recreational Vehicles and modular homes under the Nebraska Uniform Standards for Modular Housing Units Act.

LB 648 (Wayne) Change the Community Development Law

LB 648 amends the Community Development Law to extend the maximum length of time for the repayment of indebtedness related to tax-increment financing (TIF) in certain cases. Under the bill, if more than one-half of the property in the project area is designated as extremely blighted, the maximum repayment period would be extended from 15 years to 20 years.

Currently, Article VIII, Section 12 of the Nebraska State Constitution sets the maximum TIF repayment period at 15 years. A proposed constitutional amendment to extend the repayment period from 15 years to 20 years if more than one-half of the property in the project area is designated as extremely blighted, LR 14CA, was enacted by the Legislature in 2019. LB 648 would implement the provisions of LR 14CA if the proposed constitutional amendment is approved by the voters.

LB 648 would also provide procedures for a municipality to declare an area “extremely blighted” under the Community Development Law.

LB 721 (Lindstrom) Provide for insurance eligibility for spouses and dependents of deceased or disabled firefighters of cities of the first class

LB 721 allows disabled firefighters in cities of the first class or surviving spouses of deceased firefighters in cities of the first class to participate in group health insurance or other coverage offered by the city in the same manner as active employees. Under the bill, the disabled firefighter or surviving spouse would pay the same premium and receive the same coverage on the same terms as if the firefighter remained actively employed.

BILL SUMMARIES: 2020 BILLS HELD IN COMMITTEE

LB 743 (Blood) Adopt updated electrical standards

LB 743 amends the State Electrical Act to update the state electrical code to the 2020 edition of the National Electrical Code. The current state electrical code is the 2017 edition of the National Electrical Code.

LB 794 (Hansen, M.) Adopt the Missing Middle Housing Act and provide zoning regulation requirements for certain cities

LB 794 adopts the Missing Middle Housing Act. Under the Act, on or before January 1, 2022, each city of the metropolitan class, city of the primary class, and city of the first class would be required to amend its zoning ordinances to allow the development of middle housing in areas currently zoned for single-family residential dwellings.

Under the bill, middle housing is defined to include duplexes, triplexes, quadplexes, cottage clusters, and townhouses.

Portions/Provisions of LB 794 were amended into LB 866.

LB 796 (Hansen, M.) Change provisions relating to claims against a city of the primary class

LB 796 merges and clarifies provisions relating to the allowance, disallowance, and appeals of claims against cities of the primary class.

LB 864 (Wayne) Adopt the Bed Bug Detection and Treatment Act for cities of the metropolitan class

LB 864 adopts the Bed Bug Detection and Treatment Act. Under the Act, landlords of residential dwelling units located within a city of the metropolitan class would be required to provide for the inspection for and

treatment of bed bugs upon written or electronic notice of a potential infestation by a tenant.

LB 864 also prohibits a landlord within a city of the metropolitan class from offering for rent a dwelling unit that the landlord knows or reasonably suspects may contain bed bugs.

LB 867 (Hansen, M.) Adopt the Local Option Municipal Childcare Financing Act

LB 867 adopts the Local Option Municipal Childcare Financing Act, which authorizes municipalities to collect and appropriate local tax dollars for the purpose of providing direct or indirect financing assistance to early childhood care and education businesses.

Under LB 867, a municipality which has already enacted an economic development program under the Local Option Municipal Economic Development Act (commonly referred to as LB 840) would not be eligible to enact an economic development program under the Local Option Municipal Childcare Financing Act.

LB 960 (Friesen) Change accounting of income provisions and provide a requirement for use of funds under the Municipal Proprietary Function Act

LB 960 amends the Municipal Proprietary Function Act to prohibit municipalities from using funds expended for and revenue generated from proprietary functions for any other purpose other than those related to such proprietary function.

Proprietary functions are functions of a municipal government which generate revenue and expend funds based largely on customer demand, which includes municipal utilities (water, wastewater, electric, natural gas, etc.), solid waste disposal, and municipally-owned hospitals and nursing homes.

LB 973 (Kolowski) Adopt the Homeowner Associate Act

LB 973 adopts the Homeowner Association Act, which provides a statutory framework governing homeowner’s associations (HOAs) in Nebraska.

A HOA is a non-profit corporation incorporated primarily for the purpose of enforcing restrictive covenants established on real property within the boundaries of a residential subdivision.

LB 999 (Wayne) Require cities and villages to pay for appointed counsel for prosecutions and adjudications for violation of city and village ordinances

LB 999 provides that in cases of prosecution for a violation of a city or village ordinance in which an indigent defendant has the right to appointed counsel, the city or village shall be responsible for the cost of such counsel.

LB 1077 (Wayne) Change legislative declarations and findings relating to traffic congestion in municipal areas

LB 1077 changes legislative findings under the Transit Authority Law and the Regional Metropolitan Transit Authority Act.

The bill was introduced as a placeholder bill in the event that changes to the transit authority statutes were necessary in 2020.

LB 1078 (Wayne) Adopt the Municipal Inland Port Authority Act

LB 1078 adopts the Municipal Inland Port Authority Act. Under the Act, cities of the metropolitan class, cities of the primary class, and cities of the first class would be eligible to create an inland port authority in eligible areas within their corporate boundaries, extraterritorial zoning jurisdiction (ETJ), or both.

The purpose of an inland port authority under the Act would be to assist in the development of large shovel-ready commercial and industrial sites and serve as a regional merging point for multi-modal transportation and distribution of goods to and from ports and other locations in other regions.

In order to be eligible for designation as an inland port district, an area must be greater than three hundred acres and meet at least two of the following criteria: 1) located within one mile of a navigable river or other navigable waterway; 2) located within one mile of a major rail line; 3) located within two miles of any portion of the federally designated National System of Interstate and Defense Highways or any other four-lane divided highway; or 4) located within two miles of a major airport.

Under LB 1078, no more than five inland port districts may be designated statewide.

LB 1114 (Hansen, M.) Change election provisions for sanitary and improvement districts

LB 1114 provides procedures for determining whether a sanitary and improvement district (SID) consists of ninety percent or more of non-residential property for purposes of SID elections.

LB 1116 (Morfeld) Adopt the New School Construction and Water Access Act

LB 1116 adopts the New School Construction and Water Access Act. The Act adopts minimum requirements for the number of drinking fountains to be included in all new school construction completed after January 1, 2022 and incorporates these minimum requirements as part of the state building code.

LB 1116 would also require that on and after January 1, 2022, each school district and educational service unit must regularly clean and maintain all drinking fountains in buildings used for educational occupancy.

LB 1135 (Wayne) Provide duties for a city attorney of a city of the metropolitan class and provide a prosecutorial exception for city and village attorneys

LB 1135 prohibits a city attorney or village attorney from prosecuting any felony or misdemeanor offense adopted under state law.

The bill also adds references to and provides duties for the city attorney in a city of the metropolitan class.

LB 1222 (Wayne) Adopt the Municipal Police Oversight Act

LB 1222 adopts the Municipal Police Oversight Act. Under the Act, each city which employs full-time police officers would be required to appoint a Citizens Police Oversight Board to monitor, investigate, and evaluate police standards and practices.

Each Citizen Police Oversight Board under the Act would be composed of seven members of the public appointed by the mayor with the approval of the city council. Board members would be prohibited from serving on the board if they are or have previously been affiliated with or employed by any law enforcement agency, department, or office of the city or of the county in which the city is located.

LIST OF 2020 URBAN AFFAIRS COMMITTEE INTERIM STUDIES

One Hundred Sixth Legislature, Second Session

- LR 352 (Morfeld) Interim study to explore the enforcement of the ordinances and codes of cities of the second class and villages to promote public welfare and economic development
- LR 369 (Urban Affairs Committee) Interim study to review the occupational regulations for fire alarm inspectors
- LR 370 (Urban Affairs Committee) Interim study to examine the statutes governing all classes of municipalities in Chapter 18 of the Nebraska Revised Statutes
- LR 371 (Urban Affairs Committee) Interim study to examine issues within the jurisdiction of the Urban Affairs Committee
- LR 372 (Wayne) Interim study to examine the impact of sanitary and improvement districts on residential neighborhood development in Nebraska
- LR 374 (Wayne) Interim study to examine issues related to the historical practice known as redlining within Nebraska municipalities
- LR 434 (Hansen, M.) Interim study to analyze housing throughout Nebraska
- LR 436 (Walz) Interim study to determine whether elementary and secondary students in Nebraska have adequate access to clean drinking water throughout the school day

**INDEX OF 2020 URBAN AFFAIRS COMMITTEE BILLS AND RESOLUTIONS
BY SUBJECT**

One Hundred Sixth Legislature, Second Session

Building Codes

- LB 85** (Wayne) Provide for a rental housing inspection program for a city of the metropolitan class or a city of the primary class
- LB 95** (Wayne) Change applicability provisions for building codes
- LB 743** (Blood) Adopt updated electrical standards
- LB 800** (Urban Affairs Committee) Provide for the applicability of state and local construction codes
- LB 809** (Wayne) Adopt 2018 Uniform Plumbing Code standards
- LB 824** (Hunt) Change provisions related to state and local building codes
- LB 1116** (Morfeld) Adopt the New School Construction and Water Access Act

Business Improvement Districts (BIDs)

- LB 68** (Hansen, M.) Change provisions of the Business Improvement District Act as prescribed

Enterprise Zones

- LB 795** (Hansen, M.) Change provisions relating to enterprise zones

Handicapped Parking

- LB 976** (Bolz) Redefine handicapped or disabled person for purposes of handicapped or disabled parking permits

Homeowner's Associations (HOAs)

LB 973 (Kolowski) Adopt the Homeowner Association Act

Land Banking

LB 424 (Quick) Change the Nebraska Municipal Land Bank Act

LB 1178 (Wayne) Prohibit land banks from entering into certain agreements to temporarily hold real property

Mass Transit Authorities

LB 1077 (Wayne) Change legislative declarations and findings relating to traffic congestion in municipal areas

Modular & Manufactured Homes

LB 317 (Kolterman) Eliminate Public Service Commission inspection authority under the Nebraska Uniform Standards for Modular Housing Units Act and eliminate applicability and references to manufactured homes under the Uniform Standard Code for Manufactured Homes and Recreational Vehicles and rename the code

Municipalities

LB 66 (Hansen, M.) Provide for an early childhood element in a comprehensive plan developed by a city

LB 107 (Dorn) Change provisions relating to city and village plumbing boards and change a penalty

LB 136 (Wayne) Adopt the Density Bonus and Inclusionary Housing Act

LB 197 (Urban Affairs Committee) Provide a procedure for detachment of real property from the corporate limits of a city or village and eliminate existing detachment provisions

LB 234 (Wayne) Provide requirements for payment of claims by cities and villages

- LB 520** (McDonnell) Provide requirements for safety standards and operating procedures for road construction and maintenance in cities of the metropolitan class
- LB 721** (Lindstrom) Provide for insurance eligibility for spouses and dependents of deceased or disabled firefighters of cities of the first class
- LB 731** (Hunt) Change provisions relating to new or updated comprehensive plans adopted by municipalities
- LB 794** (Hansen, M.) Adopt the Missing Middle Housing Act and provide zoning regulation requirements for certain cities
- LB 796** (Hansen, M.) Change provisions relating to claims against a city of the primary class
- LB 797** (Hansen, M.) Change restrictions on municipal annexation
- LB 799** (Urban Affairs Committee) Change provisions relating to cities of the primary class
- LB 821** (Brewer) Change provisions relating to city or village planning commission meetings
- LB 864** (Wayne) Adopt the Bed Bug Detection and Treatment Act for cities of the metropolitan class
- LB 866** (Wayne) Adopt the Density Bonus and Inclusionary Housing Act
- LB 867** (Hansen, M.) Adopt the Local Option Municipal Childcare Financing Act
- LB 870** (Crawford) Change provisions relating to direct borrowing by cities and villages
- LB 885** (Bolz) Change requirements for grant applications under the Civic and Community Center Financing Act
- LB 957** (Walz) Change quorum requirements for city councils of cities of the first and second class
- LB 960** (Friesen) Change accounting of income provisions and provide a requirement for use of funds under the Municipal Proprietary Function Act

- LB 984** (Hunt) Provide deadlines for filling vacancies on certain city or village boards, authorities, or agencies
- LB 993** (Lowe) Change provisions regarding the number of city council members in cities adopting the city manager plan of government
- LB 999** (Wayne) Require cities and villages to pay for appointed counsel for prosecutions and adjudications for violation of city and village ordinances
- LB 1003** (Walz) Provide annexation powers to cities of the second class and villages for relocation due to catastrophic flooding
- LB 1078** (Wayne) Adopt the Municipal Inland Port Authority Act
- LB 1135** (Wayne) Provide duties for a city attorney of a city of the metropolitan class and provide a prosecutorial exception for city and village attorneys
- LB 1155** (Vargas) Adopt the Middle Income Workforce Housing Investment Act and transfer funds from the General Fund
- LB 1222** (Wayne) Adopt the Municipal Police Oversight Act

Sanitary and Improvement Districts (SIDs)

- LB 1114** (Hansen, M.) Change election provisions for sanitary and improvement districts

Tax-Increment Financing (TIF)

- LB 648** (Wayne) Change the Community Development Law
- LB 801** (Urban Affairs Committee) Change and eliminate provisions of the Community Development Law
- LB 876** (Walz) Change provisions of the Community Development Law relating to limitations on blighted areas
- LB 1021** (Groene) Provide for an expedited review of certain redevelopment plans under the Community Development Law

DETAILED INDEX OF URBAN AFFAIRS COMMITTEE BILLS AND RESOLUTIONS

One Hundred Sixth Legislature, Second Session

Bill #	Introducer	One-liner	Hearing Date	Committee Action	Status
LB 66	Hansen, M.	Provide for an early childhood element in a comprehensive plan developed by a city	Carryover	Advanced w/ AM 56	Indefinitely Postponed – Sine Die on 8/13/20
LB 68	Hansen, M.	Change provisions of the Business Improvement District Act as prescribed	Carryover	Advanced w/ AM 334	Approved by Governor on 2/12/20
LB 85	Wayne	Provide for a rental housing inspection program for a city of the metropolitan class or a city of the primary class	Carryover	Advanced w/ AM 66	Indefinitely Postponed – Sine Die on 8/13/20
LB 95	Wayne	Change applicability provisions for building codes	Carryover	Advanced w/ AM 2399	Indefinitely Postponed – Sine Die on 8/13/20
LB 107	Dorn	Change provisions relating to city and village plumbing boards and change a penalty	Carryover	Advanced w/ AM 356	Approved by Governor on 2/12/20
LB 136	Wayne	Adopt the Density Bonus and Inclusionary Housing Act	Carryover	Held	Indefinitely Postponed – Sine Die on 8/13/20
LB 197	Urban Affairs Committee	Provide a procedure for detachment of real property from the corporate limits of a city or village and eliminate existing detachment provisions	Carryover	Held	Indefinitely Postponed – Sine Die on 8/13/20
LB 234	Wayne	Provide requirements for payment of claims by cities and villages	Carryover	Held	Indefinitely Postponed – Sine Die on 8/13/20
LB 317	Kolterman	Eliminate Public Service Commission inspection authority under the Nebraska Uniform Standards for Modular Housing Units Act and eliminate applicability and references to manufactured homes under the Uniform Standard Code for Manufactured Homes and Recreational Vehicles and rename the code	Carryover	Held	Indefinitely Postponed – Sine Die on 8/13/20

LB 424 ¹	Quick	Change the Nebraska Municipal Land Bank Act	Carryover	Advanced w/ AM 509	Approved by Governor on 8/15/20
LB 520	McDonnell	Provide requirements for safety standards and operating procedures for road construction and maintenance in cities of the metropolitan class	Carryover	Advanced	Indefinitely Postponed – Sine Die on 8/13/20
LB 648	Wayne	Change the Community Development Law	Carryover	Held	Indefinitely Postponed – Sine Die on 8/13/20
LB 721	Lindstrom	Provide for insurance eligibility for spouses and dependents of deceased or disabled firefighters of cities of the first class	Carryover	Held	Indefinitely Postponed – Sine Die on 8/13/20
LB 731	Hunt	Change provisions relating to new or updated comprehensive plans adopted by municipalities	Carryover	Advanced w/ AM 607	Approved by Governor on 2/12/20
LB 743	Blood	Adopt updated electrical standards	2/11/20	Held	Indefinitely Postponed – Sine Die on 8/13/20
LB 794 ²	Hansen, M.	Adopt the Missing Middle Housing Act and provide zoning regulation requirements for certain cities	2/4/20	Held	Indefinitely Postponed – Sine Die on 8/13/20
LB 795 ³	Hansen, M.	Change provisions relating to enterprise zones	1/21/20	Advanced	Indefinitely Postponed – Sine Die on 8/13/20
LB 796	Hansen, M.	Change provisions relating to claims against a city of the primary class	1/21/20	Held	Indefinitely Postponed – Sine Die on 8/13/20
LB 797 ⁴	Hansen, M.	Change restrictions on municipal annexation	1/28/20	Advanced	Approved by Governor on 8/6/20

¹ Stinner priority bill

² Portions/Provisions of LB 794 were amended into LB 866

³ Portions/Provisions of LB 795 were amended into LB 1003

⁴ Speaker priority bill

LB 799 ⁵	Urban Affairs Committee	Change provisions relating to cities of the primary class	1/21/20	Advanced	Indefinitely Postponed – Sine Die on 8/13/20
LB 800	Urban Affairs Committee	Provide for the applicability of state and local construction codes	1/28/20	Advanced w/ AM 2393	Indefinitely Postponed – Sine Die on 8/13/20
LB 801 ⁶	Urban Affairs Committee	Change and eliminate provisions of the Community Development Law	2/18/20	Advanced w/ AM 2142	Indefinitely Postponed – Sine Die on 8/13/20
LB 809 ⁷	Wayne	Adopt 2018 Uniform Plumbing Code standards	1/28/20	Advanced	Indefinitely Postponed – Sine Die on 8/13/20
LB 821 ⁸	Brewer	Change provisions relating to city or village planning commission meetings	1/21/20	Advanced	Indefinitely Postponed – Sine Die on 8/13/20
LB 824 ⁹	Hunt	Change provisions related to state and local building codes	1/28/20	Advanced w/ AM 2133	Indefinitely Postponed – Sine Die on 8/13/20
LB 864	Wayne	Adopt the Bed Bug Detection and Treatment Act for cities of the metropolitan class	2/11/20	Held	Indefinitely Postponed – Sine Die on 8/13/20
LB 866 ¹⁰	Wayne	Adopt the Density Bonus and Inclusionary Housing Act	2/4/20	Advanced w/ AM 2913	Approved by Governor on 8/17/20
LB 867	Hansen, M.	Adopt the Local Option Municipal Childcare Financing Act	2/25/20	Held	Indefinitely Postponed – Sine Die on 8/13/20

⁵ Portions/Provisions of LB 799 were amended into LB 1003

⁶ Portions/Provisions of LB 801 were amended into LB 1003

⁷ Portions/Provisions of LB 809 were amended into LB 800

⁸ Portions/Provisions of LB 821 were amended into LB 1003

⁹ Portions/Provisions of LB 824 were amended into LB 800

¹⁰ Urban Affairs Committee priority bill

LB 870 ¹¹	Crawford	Change provisions relating to direct borrowing by cities and villages	1/28/20	Advanced w/ AM 2182	Approved by Governor on 7/24/20
LB 876	Walz	Change provisions of the Community Development Law relating to limitations on blighted areas	2/18/20	Advanced	Indefinitely Postponed – Sine Die on 8/13/20
LB 885 ¹²	Bolz	Change requirements for grant applications under the Civic and Community Center Financing Act	1/21/20	Advanced	Indefinitely Postponed – Sine Die on 8/13/20
LB 957 ¹³	Walz	Change quorum requirements for city councils of cities of the first and second class	1/28/20	Advanced	Indefinitely Postponed – Sine Die on 8/13/20
LB 960	Friesen	Change accounting of income provisions and provide a requirement for use of funds under the Municipal Proprietary Function Act	2/11/20	Held	Indefinitely Postponed – Sine Die on 8/13/20
LB 973	Kolowski	Adopt the Homeowner Association Act	2/4/20	Held	Indefinitely Postponed – Sine Die on 8/13/20
LB 976 ¹⁴	Bolz	Redefine handicapped or disabled person for purposes of handicapped or disabled parking permits	2/25/20	Advanced	Indefinitely Postponed – Sine Die on 8/13/20
LB 984 ¹⁵	Hunt	Provide deadlines for filling vacancies on certain city or village boards, authorities, or agencies	2/11/20	Advanced	Indefinitely Postponed – Sine Die on 8/13/20
LB 993 ¹⁶	Lowe	Change provisions regarding the number of city council members in cities adopting the city manager plan of government	1/28/20	Advanced w/ AM 2138	Indefinitely Postponed – Sine Die on 8/13/20

¹¹ Clements priority bill

¹² Portions/Provisions of LB 885 were amended into LB 1003

¹³ Portions/Provisions of LB 957 were amended into LB 1003

¹⁴ Portions/Provisions of LB 976 were amended into LB 944

¹⁵ Portions/Provisions of LB 984 were amended into LB 1003

¹⁶ Portions/Provisions of LB 993 were amended into LB 1003

LB 999	Wayne	Require cities and villages to pay for appointed counsel for prosecutions and adjudications for violation of city and village ordinances	2/4/20	Held	Indefinitely Postponed – Sine Die on 8/13/20
LB 1003 ¹⁷	Walz	Provide annexation powers to cities of the second class and villages for relocation due to catastrophic flooding	2/18/20	Advanced w/ AM 2651	Approved by Governor on 8/6/20
LB 1021 ¹⁸	Groene	Provide for an expedited review of certain redevelopment plans under the Community Development Law	2/18/20	Advanced w/ AM 2988	Approved by Governor on 8/17/20
LB 1077	Wayne	Change legislative declarations and findings relating to traffic congestion in municipal areas	2/25/20	Held	Indefinitely Postponed – Sine Die on 8/13/20
LB 1078	Wayne	Adopt the Municipal Inland Port Authority Act	2/25/20	Held	Indefinitely Postponed – Sine Die on 8/13/20
LB 1114	Hansen, M.	Change election provisions for sanitary and improvement districts	2/11/20	Held	Indefinitely Postponed – Sine Die on 8/13/20
LB 1116	Morfeld	Adopt the New School Construction and Water Access Act	2/11/20	Held	Indefinitely Postponed – Sine Die on 8/13/20
LB 1135	Wayne	Provide duties for a city attorney of a city of the metropolitan class and provide a prosecutorial exception for city and village attorneys	2/4/20	Held	Indefinitely Postponed – Sine Die on 8/13/20
LB 1155 ¹⁹ ²⁰	Vargas	Adopt the Middle Income Workforce Housing Investment Act and transfer funds from the General Fund	2/4/20	Advanced w/ AM 2482	Indefinitely Postponed – Sine Die on 8/13/20
LB 1178 ²¹	Wayne	Prohibit land banks from entering into certain agreements to temporarily hold real property	2/11/20	Advanced w/ AM 2539	Indefinitely Postponed – Sine Die on 8/13/20

¹⁷ Urban Affairs Committee priority bill

¹⁸ Groene priority bill

¹⁹ Planning Committee priority bill

²⁰ Portions/Provisions of LB 1155 were amended into LB 866

²¹ Portions/Provisions of LB 1178 were amended into LB 424

LB 1222	Wayne	Adopt the Municipal Police Oversight Act	7/31/20	Held	Indefinitely Postponed – Sine Die on 8/13/20
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