



DIRT ALERT

March 6, 2015

David C. Levy, Editor

104th Nebraska Legislature, First Session: Real Estate, Renewable Energy and Municipal Law Update – Part 8 (Days 35 – 39)

The 104th Nebraska Legislature is now nine weeks into the first session. Here is an update on the bills we are tracking related to real property, renewable energy, and municipal law.

You can find copies of the bills and information regarding status of the bills on the Nebraska Legislature's website at <http://www.nebraskalegislature.gov/bills/>.

Please do not hesitate to contact us if you have questions about these bills or any others. Thank you.

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| Bill | Summary | Introducer | Committee | Hearing Date | Current Status |
|-----------------------------|---|-------------------------|---|--------------|---|
| Approved by Governor | | | | | |
| LB 150 | Include grants or loans to businesses to provide relocation incentives within the Local Option Municipal Economic Development Act | Urban Affairs Committee | Urban Affairs | 1/29/15 | Approved by Governor |
| LB 151 | Change procedures relating to city notices in cases of mortgaged property or trust deed default | Urban Affairs Committee | Urban Affairs | 1/29/15 | Approved by Governor with AM 19 & 85 |
| LB 157 | Change operative date for the Nebraska Model Business Corporation Act | McCollister | Banking, Commerce and Insurance | 1/26/15 | Approved by Governor |
| LB 168 | Change provisions relating to business improvement districts | Mello | Urban Affairs | 1/27/15 | Approved by Governor with AM51 & ER9 |
| Final Reading | | | | | |
| LB 23 | Act to revise, harmonize, and repeal sections of the Engineers and Architects Regulation Act | Krist | Health & Human Services | 1/23/15 | Placed on Final Reading; ER25 adopted |
| LB 52 | Exempt sanitary drainage districts from sales and use taxes | Scheer | Revenue | 1/23/15 | Passed on Final Reading; Presented to Governor |
| LB 116 | Change election procedures and membership for sanitary and improvement district boards of trustees | Haar | Urban Affairs | 1/27/15 | Passed on Final Reading; Presented to Governor; AM192 adopted |
| LB 177 | Change provisions relating to membership on boards of directors for public power districts | Haar | Government, Military and Veterans Affairs | 1/21/15 | Placed on Final Reading w/ ST14; FA 2, FA 3, ER7, AM 154, AM434 adopted |
| LB 261 | Redefine qualified owner under the Rural Community-Based Energy Development Act and change other revenue and taxation provisions | Gloor | Revenue | 1/23/15 | Passed on Final Reading w/ Emergency Clause; Presented to Governor; AM44 & ER23 adopted |

| Bill | Summary | Introducer | Committee | Hearing Date | Current Status |
|------------------------|---|--|---------------------------------|--------------|--|
| LB 266 | Change provisions relating to jurisdiction for municipalities to enforce ordinances | Crawford | Urban Affairs | 2/3/15 | Passed on Final Reading; Presented to Governor; AM122 & ER30 adopted |
| Select File | | | | | |
| LB 431 | Change provisions relating to public school district construction | Baker | Education | 2/17/15 | Placed on Select File w/ ER45 |
| General File | | | | | |
| LB 131 | Prohibit sanitary and improvement districts from spending assets after receiving a notice of proposed annexation | Craighead, Crawford, Davis, Harr, Howard, Mello, Riepe | Urban Affairs | 1/27/15 | Placed on General File; AM405 filed |
| LB 139 | Change provisions of the Real Property Appraiser Act to provide definitions, add the position of a real property associate, and other | Johnson | Banking, Commerce and Insurance | 1/27/15 | Placed on General File; AM119 filed |
| LB 156 | Change amount of tax credits allowed under the Angel Investment Tax Credit Act | Stinner | Revenue | 2/5/15 | Placed on General File; AM645 filed |
| LB 197 | Provide additional powers related to animals, streets, and vehicles for certain sanitary and improvement districts | Scheer | Urban Affairs | 2/10/15 | Placed on General File; AM390 filed |
| LB 221 | Provide for disposition of a tenant's personal property upon death | Harr | Judiciary | 2/6/15 | Placed on General File; AM467 filed |
| LB 277 | Change tax deed lien priority | Harr | Revenue | 2/12/15 | Placed on General File |
| LB 295 | Require municipalities to have county approval before enforcing ordinances in the extraterritorial zoning jurisdiction | Scheer | Urban Affairs | 2/3/15 | Placed on General File; AM323 filed |
| LB 304 | Adopt the Municipal Custodianship for Dissolved Homeowners Associations Act | Hansen | Urban Affairs | 2/3/15 | Placed on General File; AM286 adopted |
| LB 412 | Change provisions relating to the Rural Community-Based Energy Development Act | Mello | Natural Resources | 2/20/15 | Placed on General File |
| LB 420 | Require acknowledgments from purchasers of real estate in a sanitary and improvement district | Crawford | Urban Affairs | 2/10/15 | Placed on General File |
| LB 513 | Change provisions relating to use and leasing of school property | Craighead | Education | 2/17/15 | Placed on General File |

| Bill | Summary | Introducer | Committee | Hearing Date | Current Status |
|------------------------------|---|------------------------------|--|--------------|--------------------------------|
| LB 540 | Adopt updated international building code standards | Crawford | Urban Affairs | 2/17/15 | Placed on General File |
| Referred to Committee | | | | | |
| LR 7CA | Change term length of terms for legislators | Schumacher | Executive Board | 2/23/15 | Held by Committee |
| LB 22 | Provide immunity under the Engineers and Architects Regulation Act during an emergency | Krist | Judiciary | 1/21/15 | Held by Committee |
| LB 28 | Adopt the Radon Resistant New Construction Act | Krist | Health & Human Services | 2/27/15 | Held by Committee; AM368 filed |
| LB 68 | Eliminate step-up basis for real estate for determination of capital gains | Schumacher | Revenue | 1/22/15 | Held by Committee |
| LB 71 | Adopt the Agricultural Property Tax Credit Act | Schumacher | Revenue | 1/22/15 | Held by Committee |
| LB 73 | Adopt the Modern Tax Act which imposes a tax on interest paid on certain loans | Schumacher | Revenue | 1/30/15 | Held by Committee |
| LB 106 | Adopt the Livestock Operation Siting and Expansion Act | Watermeier, Johnson, Murante | Agriculture; Government, Military and Veterans Affairs | 2/12/15 | Held by Committee |
| LB 117 | Change provisions relating to energy financing contracts between companies and governmental units | Haar | Natural Resources | 2/9/15 | Held by Committee |
| LB 162 | Change provisions relating to land banks and the sale of real property | Schumacher | Revenue | 1/29/15 | Held by Committee |
| LB 204 | Provide a tax credit for certain beer manufacturers | Schilz | General Affairs | 2/2/15 | Held by Committee |
| LB 205 | Provide requirements for certain towers | Schilz | Government, Military and Veterans Affairs | 2/4/15 | Held by Committee |
| LB 210 | Change provisions relating to housing agencies and taxation of mixed-use developments | Ebke | Revenue | 2/12/15 | Held by Committee |
| LB 230 | Change provisions relating to the parties that may compel partition | Mello | Revenue | 2/19/15 | Held by Committee |
| LB 238 | Change provisions relating to tax-increment financing under the Community Development Law | Groene | Urban Affairs | 2/24/15 | Held by Committee |
| LB 259 | Adopt the Personal Property Tax Relief Act | Gloor | Revenue | 1/29/15 | Held by Committee |
| LB 293 | Change valuation of agricultural and horticultural land | Schnoor | Revenue | 2/19/15 | Held by Committee |

| Bill | Summary | Introducer | Committee | Hearing Date | Current Status |
|------------------------|---|------------|---------------------------------|--------------|-----------------------|
| LB 300 | Change provisions relating to enforcement of ordinances by sanitary and improvement districts | Schumacher | Urban Affairs | 2/10/15 | Held by Committee |
| LB 336 | Change provisions relating to the Nebraska Condominium Act | Harr | Banking, Commerce and Insurance | 3/3/15 | Held by Committee |
| LB 350 | Change valuation of agricultural and horticultural land | Brasch | Revenue | 2/19/15 | Held by Committee |
| LB 356 | Change provisions relating to the assessment of certain rent-restricted housing projects | Harr | Revenue | 2/26/15 | Held by Committee |
| LB 362 | Change eminent domain provisions relating to school sites | Krist | Judiciary | 3/11/15 | Referred to Committee |
| LB 385 | Change provisions relating to forcible entry and detainer and the Uniform Residential Landlord and Tenant Act | Lindstrom | Judiciary | 2/6/15 | Held by Committee |
| LB 395 | Adopt the Nebraska Enterprise Act and authorize grants for economic development | Schilz | Banking, Commerce and Insurance | 3/10/15 | Referred to Committee |
| LB 399 | Provide Public Service Commission powers regarding transportation network service | Smith | Transportation and Telecom. | 3/2/15 | Held by Committee |
| LB 406 | Change provisions relating to actions for the recovery of vacant, platted, and subdivided real property | Morfeld | Judiciary | 2/19/15 | Held by Committee |
| LB 407 | Change and eliminate provisions relating to certified renewable export facilities | Haar | Natural Resources | 3/4/15 | Held by Committee |
| LB 414 | Provide a property tax exemption for fraternal benefit societies | Harr | Revenue | 3/5/15 | Held by Committee |
| LB 423 | Change the renewable energy tax credit | Nordquist | Revenue | 2/25/15 | Held by Committee |
| LB 424 | Change provisions relating to the nameplate capacity tax | Davis | Revenue | 3/5/15 | Held by Committee |
| LB 438 | Change distribution of sales and use tax revenue and create and provide for a fund | Morfeld | Revenue | 3/6/15 | Referred to Committee |
| LB 442 | Appropriate additional funds to the Property Tax Credit Cash Fund | Bolz | Appropriations | 2/27/15 | Held by Committee |
| LB 445 | Authorize audits of redevelopment plans that use tax-increment financing | Groene | Urban Affairs | 2/24/15 | Held by Committee |
| LB 457 | Change and Site and Building Development Act and terminate a fund | Gloor | Banking, Commerce and Insurance | 2/23/15 | Held by Committee |

| Bill | Summary | Introducer | Committee | Hearing Date | Current Status |
|-------------------------------|--|---|---|--------------|------------------------|
| LB 469 | Provide powers and duties to the Department of Environmental Quality relating to regulating carbon dioxide emissions | Smith | Natural Resources | 2/5/15 | Held by Committee |
| LB 473 | Eliminate the power of eminent domain for major pipelines | Chambers | Judiciary | 3/11/15 | Referred to Committee |
| LB 475 | Change a provision relating to the construction or acquisition of certain electric generation facilities | Davis | Natural Resources | 2/25/15 | Held by Committee |
| LB 476 | Provide duties for county assessors and the Property Tax Administrator relating to tax-exempt real property | Davis | Revenue | 3/5/15 | Held by Committee |
| LB 488 | Adopt the Transportation Network Insurance Act | Scheer | Banking, Commerce and Insurance | 2/3/15 | Held by Committee |
| LB 536 | Provide for the filing of an annual report by public power suppliers with the Nebraska Power Review Board | Haar | Natural Resources | 2/11/15 | Held by Committee |
| LB 538 | Require audits of tax incentive programs under the Legislative Performance Audit Act | Legislative Performance Audit Committee | Revenue | 2/25/15 | Held by Committee |
| LB 559 | Change provisions relating to the treatment of tax credits under the New Markets Job Growth Investment Act | Schumacher | Revenue | 3/4/15 | Held by Committee |
| LB 583 | Require a state energy plan | Schilz | Natural Resources | 2/11/15 | Held by Committee |
| LB 596 | Change the Community Development Law and create the Tax-increment Financing Division of the Auditor of Public Accounts | Davis | Urban Affairs | 2/24/15 | Held by Committee |
| LB 629 | Provide for regulation of transportation network companies | Mello | Transportation and Telecom. | 3/2/15 | Held by Committee |
| Withdrawn | | | | | |
| LB 432 | Change provisions relating to access to and copying of public records | Baker | Government, Military and Veterans Affairs | - | Withdrawn |
| Indefinitely Postponed | | | | | |
| LB 282 | Change provisions relating to closed sessions for public bodies | Baker | Government, Military and Veterans Affairs | - | Indefinitely Postponed |