



DIRT ALERT

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106th Nebraska Legislature, Second Session

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The Second Session of the Nebraska Legislature convened January 8, 2020. This Dirt Alert provides an update on certain bills introduced during the Second Session related to economic development, municipal law, real estate, renewable energy, taxation, and water/natural resources law. Bills of interest carried over from the First Session of the 106th Nebraska Legislature are available below the 2020 chart.

The following bills warrant particular attention:

- LB1132 would change provisions related to net metering so that a local distribution facility may charge each customer-generator that generates more than five kilowatts a separate net-metering monthly administrative fee.
- LB1205 would require public power suppliers to provide increasing amounts of renewable energy to consumers.

We testified in opposition to LB818 because it would apply an inflation factor to depreciating property.

We will provide summaries of these bills in the coming week.

Copies of all bills are available on the Nebraska Legislature's website at <http://www.nebraskalegislature.gov/bills/>. Please 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
Economic Development					
LB773	Appropriate funds for the Rural Workforce Housing Investment Fund	Williams	Appropriations	2/12/20	Committee
LB794	Adopt the Missing Middle Housing Act and provide zoning regulation requirements for certain cities	Hansen, M.	Urban Affairs	2/4/20	Committee
LB795	Change provisions relating to enterprise zones	Hansen, M.	Urban Affairs	1/21/20	General File
LB866 Committee Priority	Adopt the Density Bonus and Inclusionary Housing Act	Wayne	Urban Affairs	2/4/20	General File
LB885	Change requirements for grant applications under the Civic and Community Center Financing Act	Bolz	Urban Affairs	1/21/20	General File
LB961	Adopt Peer-to-Peer Vehicle Sharing Program Act	Friesen	Transportation and Telecommunications	1/28/20	General File
LB1034	Extend the application deadline and change certain credits under the Nebraska Advantage Act	Friesen	Revenue	2/20/20	Committee
LB1078	Adopt the Municipal Inland Port Authority Act	Wayne	Urban Affairs	2/25/20	Committee
LB1084	Adopt the Nebraska Transformational Projects Act	Kolterman	Revenue	2/6/20	Committee
LB1155 Planning Committee Priority	Adopt the Middle Income Workforce Housing Investment Act and transfer funds from the General Fund	Vargas	Urban Affairs	2/4/20	General File
LB1162	Adopt the Fueling State Tax Credit Act	Wishart	Revenue	2/26/20	Committee
LB1179	Adopt the ImagiNE Small Business and Urban Revitalization Act	Wayne	Revenue	2/20/20	Committee
LB1214	Adopt the Rural Economic Development Grant Act	Friesen	Revenue	2/26/20	Committee
Energy / Renewable Energy					
LB818	Adjust the nameplate capacity tax for inflation	Brewer	Revenue	1/24/20	Committee
LB896	Require notice of construction and expansion of structures near military installations as prescribed	Erdman	Government, Military and Veterans Affairs	1/30/20	Committee
LB899 Moser Priority	Provide certain powers to public power districts relating to biofuels and biofuel byproducts	Hughes	Natural Resources	1/23/20	Select File
LB1132	Change provisions relating to net metering	Wayne	Natural Resources	2/19/20	Committee

Bill	Summary	Introducer	Committee	Hearing Date	Current Status
LB1205	Adopt the Renewable Energy Standards Act	McCollister	Natural Resources	2/13/20	Committee
Governmental / Municipal Law					
LB821	Change provisions relating to city or village planning commission meetings	Brewer	Urban Affairs	1/21/20	General File
LB823	Provide for a special election prior to the exercise of eminent domain for transmission lines in certain circumstances	Brewer	Judiciary	1/22/20	Committee
LB824	Change provisions related to state and local building codes	Hunt	Urban Affairs	1/28/20	General File
LB858 Committee Priority	Change provisions of the Municipal Cooperative Financing Act	Hughes	Natural Resources	1/22/20	Final Reading
LB864	Adopt the Bed Bug Detection and Treatment Act for cities of the metropolitan class	Wayne	Urban Affairs	2/11/20	Committee
LB878	Redefine immediate family and change conflict of interest provisions under the Nebraska Political Accountability and Disclosure Act	Walz	Government, Military and Veterans Affairs	2/20/20	Committee
LB889 Speaker Priority	Change appeal provisions under the Administrative Procedure Act	Hilgers	Government, Military and Veterans Affairs	1/31/20	Enrollment & Review Initial
LB984	Provide deadlines for filing vacancies on certain city or village boards, authorities, and agencies	Hunt	Urban Affairs	2/11/20	General File
LB993	Change provisions regarding the number of city council members in cities adopting the city manager plan of government	Lowe	Urban Affairs	1/28/20	General File
LB1003 Committee Priority	Provide annexation powers to cities of the second class and villages for relocation due to catastrophic flooding	Walz	Urban Affairs	2/18/20	Enrollment & Review Initial
LB1033	Change the distribution of sales tax revenue and authorize the use of funds for certain infrastructure projects	Friesen	Revenue	1/31/20	General File
LB1057	Change provisions regarding appeals of certain zoning decisions by county planning commissions and county boards	Lowe	Government, Military and Veteran Affairs	2/5/20	Committee
LB1068	Adopt the Interior Design Voluntary Registration Act	Hunt	Government, Military and Veteran Affairs	2/13/20	General File
LB1077	Change legislative declarations and findings relating to traffic congestion in municipal areas	Wayne	Urban Affairs	2/25/20	Committee

Bill	Summary	Introducer	Committee	Hearing Date	Current Status
LB1135	Provide duties for a city attorney of a city of the metropolitan class and provide a prosecutorial exception for city and village attorneys	Wayne	Urban Affairs	2/4/20	Committee
LB1136	Prescribe when an interest in a contract is prohibited and eliminate a prohibition against such interest by a public power and irrigation district board member	Williams	Government, Military and Veteran Affairs	2/20/20	General File
LB1167	Require members of the public to be allowed to speak at each meeting subject to the Open Meetings Act	Albrecht	Government, Military and Veteran Affairs	2/20/20	Committee
LB1178	Prohibit land banks from entering into certain agreements to temporarily hold real property	Wayne	Urban Affairs	2/11/20	General File
LB1208	Change provisions relating to restrictive housing, immediate segregation, discipline, and other conditions of confinement in state correctional facilities	Vargas	Judiciary	2/12/20	Committee
Real Estate / Financial Transactions					
LB767	Change real property provisions on breach of warranty on improvements and provisions under the Nebraska Condominium Act	Lindstrom	Banking, Commerce and Insurance	2/11/20	General File
LB808 Williams Priority	Change provisions relating to accountants, provide for the ratification of defective corporate actions under the Nebraska Model Business Corporation Act, adopt the Uniform Trust Decanting Act, change provisions relating to actions on breach of warranty on improvements to real property and change provisions under the Nebraska Condominium Act, change and eliminate provisions relating to the Real Property Appraiser Act, redefine the term security to include certain student loans under the Public Funds Deposit Security Act, and provide an exemption to the Nebraska Real Estate License Act as prescribed	La Grone	Banking, Commerce and Insurance	2/10/20	Select File
LB834	Change provisions of the Engineers and Architects Regulation Act	Arch	Health and Human Services	1/24/20	Committee

Bill	Summary	Introducer	Committee	Hearing Date	Current Status
LB844	Eliminate certain notice requirements relating to construction liens	Clement	Judiciary	1/22/20	Committee
LB896	Require notice of construction and expansion of structures near military installations as prescribed	Erdman	Government, Military and Veterans Affairs	1/30/20	Committee
LB914	Change rental deposits, damage, and notice of termination provisions under the Mobile Home Landlord and Tenant Act	Hunt	Judiciary	1/24/20	Committee
LB929	Provide an exemption to the Nebraska Real Estate License Act	Lindstrom	Banking, Commerce and Insurance	2/3/20	General File
LB973	Adopt the Homeowner Association Act	Kolowski	Urban Affairs	2/4/20	Committee
Tax Increment Financing					
LB801	Change and eliminate provisions of the Community Development Law	Urban Affairs Committee	Urban Affairs	2/18/20	General File
LB876	Change provisions of the Community Development Law relating to limitations on blighted areas	Walz	Urban Affairs	2/18/20	General File
LB1021 Groene Priority	Provide for an expedited review of certain redevelopment plans under the Community Development Law	Groene	Urban Affairs	2/18/20	Committee
LB1045	Require the posting and reporting of tax incentive information under the Taxpayer Transparency Act	Brandt	Revenue	2/20/20	Committee
Taxes and Tax Equalization and Review Commission					
LB946	Change the sales tax rate and impose sales tax on additional services	Briese	Revenue	2/26/20	Committee
LB1012	Change provisions relating to tax exemptions for property acquired by certain tax-exempt entities	La Grone	Revenue	2/27/20	Committee
Telecommunications					
LB992 Committee Priority	Adopt the Broadband Internet Service Infrastructure Act and provide for certain broadband and Internet-related services	Friesen	Transportation & Telecommunications	2/3/20	Committee
LB996 Brandt Priority	Create the Broadband Data Improvement Program	Brandt	Transportation & Telecommunications	2/3/20	Final Reading

106th Nebraska Legislature, First Session – Carryover Bills

Bill	Summary	Introducer	Committee	Hearing Date	Current Status
Economic Development					
LB68	Change provisions of the Business Improvement District Act as prescribed	Hansen, M.	Urban Affairs	2/19/19	Approved
LB100	State intent relating to an appropriation to the Nebraska State Historical Society	Wayne	Appropriations	3/1/19	Committee
LB136	Adopt the Density Bonus and Inclusionary Housing Act	Wayne	Urban Affairs	2/19/19	Committee
LB187	Change the Sports Arena Facility Financing Assistance Act	Lindstrom	Revenue	2/22/19	General File
LB310	Change procedures for tax credits under the Nebraska Job Creation and Mainstreet Revitalization Act	Vargas	Revenue	2/13/19	Approved
LB413	Change applications submission deadlines under the Nebraska Advantage Act	Brandt	Revenue	3/6/19	Committee
LB417	Change application deadlines under certain tax incentive programs	Friesen	Revenue	3/6/19	Committee
LB419	Change the Nebraska Advantage Act and create a fund and grant program	Bolz	Revenue	3/6/19	Committee
LB437	Change application deadlines under the Nebraska Advantage Act	Linehan	Revenue	3/13/19	Committee
LB535	Prohibit employment discrimination by qualified businesses under the Nebraska Advantage Act	Cavanaugh	Revenue	3/15/19	Committee
LB604	Authorize High-Wage Jobs and Capital Investment Creation Fund entities and provide grants, loans, and economic assistance to such entities	Lindstrom	Business and Labor	2/4/19	General File
LB613	Change application deadlines under certain tax incentive programs	Crawford	Revenue	3/6/19	Committee
LB720 Kolterman Priority	Adopt the ImagiNE Nebraska Act and provide tax incentives	Kolterman	Revenue	3/6/19	Select File
LB724	Provide requirements for boards of directors in order to qualify for incentives under the Nebraska Advantage Act	Vargas	Revenue	3/15/19	Committee
Energy / Renewable Energy					

Bill	Summary	Introducer	Committee	Hearing Date	Current Status
LB76	Change provisions relating to the nameplate capacity tax	Williams	Revenue	2/8/19	Approved
LB241	Provide for teacher mentoring program grants using income from solar and wind agreements on school lands	Bolz	Education	1/28/19	Committee
LB283 McCollister Priority	Provide for a climate change study	Pansing Brooks	Executive Board	2/11/19	General File
LB285	State intent to appropriate funds to the Nebraska Power Review Board for a study and state public policy	McCollister	Natural Resources	3/14/19	Committee
LB366	Change registration fee for alternative fuel-powered motor vehicles	Bostelman	Transportation and Telecommunications	2/26/19	Committee
LB373	Provide setback and zoning requirements for wind energy generation projects	Brewer	Government, Military and Veterans Affairs	1/31/19	Committee
LB456	Provide a sales and use tax exemption for certain machinery and equipment used to produce electricity	Lathrop	Revenue	3/14/19	Committee
LB509	Redefine the terms net metering and qualified facility and change powers and duties of a local distribution utility	McCollister	Natural Resources	3/14/19	Committee
LB621	Change provisions relating to solar energy and wind energy, declare certain instruments void and unenforceable, and provide for a civil cause of action	Kolowski	Judiciary	2/21/19	Committee
LB700 Committee Priority	Provide for decommissioning and reclamation of wind energy conversion system	Bostelman	Natural Resources	3/6/19	General File
LB704	Provide for a request for proposals for renewable energy for state-owned buildings and a study regarding state vehicles	McCollister	Government, Military and Veterans Affairs	3/15/19	Committee
Governmental / Municipal Law					
LB20	Require voter approval of public building commission bonds	Briese	Government, Military and Veteran Affairs	1/24/19	Committee
LB21	Provide formal protest procedures for certain state contracts for services	Kolterman	Government, Military and Veteran Affairs	2/20/19	Committee
LB95	Change applicability provisions for building codes	Wayne	Urban Affairs	2/12/19	General File
LB148	Change requirements for public hearings on proposed budget statements and notices of meetings of public bodies	Groene	Government, Military and Veterans Affairs	2/6/19	Approved

Bill	Summary	Introducer	Committee	Hearing Date	Current Status
LB150	Change provisions relating to access to public records and provide for fees	Brewer	Government, Military and Veterans Affairs	2/8/19	Committee
LB151	Adopt the Government Neutrality in Contracting Act	Brewer	Government, Military and Veterans Affairs	2/20/19	Committee
LB204	Require approval of voters for bonds under the Interlocal Cooperation Act	Briese	Government, Military and Veterans Affairs	1/24/19	Committee
LB210	Change independent expenditure reporting requirements and require electioneering reporting	Crawford	Government, Military and Veterans Affairs	3/13/19	Committee
LB242 Lindstrom Priority	Adopt the Infrastructure Improvement and Replacement Assistance Act and provide for a turnback of state sales tax revenue	Lindstrom	Revenue	2/22/19	General File
LB254	Adopt the Fair Chance Hiring Act	McCollister	Business and Labor	2/4/19	Final Reading
LB261	Require use of redistricting maps drawn using state-issued computer software	DeBoer	Executive Board	2/14/19	Committee
LB394	State intent relating to an appropriation to the Department of Transportation	Wishart	Appropriations	3/21/19	Committee
LB412	Require an election regarding creation of a joint public agency	Geist	Government, Military and Veterans Affairs	2/7/19	Committee
LB466	Adopt the Redistricting Act	Howard	Executive Board	2/14/19	Committee
LB473	Change revenue and taxation provisions relating to judgments against public, corporations and political subdivisions, authorize certain loans, and provide powers and duties to the State Treasurer	Dorn	Revenue	2/28/19	Committee
LB492 Committee Priority	Adopt the Regional Metropolitan Transit Authority Act	Wayne	Urban Affairs	2/26/19	Certificate
LB581	Require the use of generally accepted accounting principles in preparing budgets under the Nebraska Budget Act	Albrecht	Government, Military and Veterans Affairs	3/20/19	Committee
LB731	Change provisions relating to new or updated comprehensive plans adopted by municipalities	Hunt	Urban Affairs	3/5/19	Approved
LB736	Provide restrictions on occupation taxes, license fees, and regulation by counties and municipalities	Murman	Government, Military and Veterans Affairs	2/28/19	Committee
Healthcare					

Bill	Summary	Introducer	Committee	Hearing Date	Current Status
LB89	Change certain marijuana penalties	Wayne	Judiciary	3/20/19	Committee
LB110 Wishart Priority	Adopt the Medical Cannabis Act	Wishart	Judiciary	1/25/19	General File
LB216	Prohibit releasing a person in custody to avoid medical costs	Kolterman	Judiciary	2/6/19	Committee
LB457	Define and redefine terms relating to industrial hemp under the Uniform Controlled Substances Act	Lathrop	Judiciary	2/13/19	General File
LB597	Require reporting incidents and development of policies for assisted-living facilities	Walz	Health and Human Services	3/1/19	Committee
LB659	Remove cannabidiol from list of controlled substances	Wayne	Judiciary	2/20/19	Committee
Liquor					
Real Estate / Financial Transactions					
LB28	Authorize damages for property taxes and special assessments paid on property lost through adverse possession	Kolterman	Judiciary	1/24/19	General File
LB30	Change and eliminate provisions under the Professional Landscape Architects Act	Kolterman	Government, Military and Veteran Affairs	1/25/19	Approved
LB85	Provide for a rental housing inspection program for a city of the metropolitan class of a city of the primary class	Wayne	Urban Affairs	1/22/19	General File
LB188	Change the rate of interest charged on loans under the Nebraska Installment Loan Act	Lindstrom	Banking, Commerce and Insurance	1/29/19	Select File
LB265	Adopt the Unsecured Consumer Loan Licensing Act and clarify licensing provisions under the Delayed Deposit Services Licensing Act and the Nebraska Installment Loan Act	La Grone	Banking, Commerce and Insurance	3/12/19	Committee

Bill	Summary	Introducer	Committee	Hearing Date	Current Status
LB317	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	Kolterman	Urban Affairs	2/5/19	Committee
LB379 Speaker Priority	Change provisions under the Delayed Deposit Services Licensing Act and the Nebraska Installment Loan Act	Kolterman	Banking, Commerce and Insurance	3/12/19	General File
LB393	Increase the documentary stamp tax	Groene	Revenue	2/8/19	Committee
LB395	Change landlord's power of possession provisions in cases of domestic violence	Hansen, M.	Judiciary	3/1/19	Committee
LB396	Change landlord and tenant provisions relating to continuances and rental deposits	Hansen, M.	Judiciary	3/1/19	General File
LB407	Grant in-state credit unions powers of out-of-state credit unions as prescribed	Lindstrom	Banking, Commerce and Insurance	2/26/19	Committee
LB424 Stinner Priority	Change the Nebraska Municipal Land Bank Act	Quick	Urban Affairs	2/19/19	General File
LB523	Provide a documentary stamp tax exemption for certain deeds and property tax exemption for certain charitable organizations	Linehan	Revenue	2/8/19	Committee
LB602	Adopt the Domestic Stock Insurance Company Division Act	Lindstrom	Banking, Commerce and Insurance	3/12/19	Committee
LB633	Change provisions relating to real property owner information available to the public	Wishart	Government, Military and Veterans Affairs	3/1/19	Committee
LB689	Prohibit discrimination by a seller of landlord on the basis of sexual orientation, gender identity, or citizenship status in any real estate transaction or lease	Cavanaugh	Judiciary	3/1/19	Committee
Tax Increment Financing					

Bill	Summary	Introducer	Committee	Hearing Date	Current Status
LB432	Include tax-increment financing valuation in adjusted valuations for purposes of state aid to schools and change school district levy authority	Groene	Education	3/5/19	Committee
LB648	Change the Community Development Law	Wayne	Urban Affairs	3/5/19	Committee
Taxes and Tax Equalization and Review Commission					
LB158	Change provisions relating to the assessed value of real property	Brewer	Revenue	1/24/19	Committee
LB250	Change provisions relating to agricultural land and horticultural land receiving special valuations	Walz	Revenue	1/30/19	Committee
LB289 Committee Priority	Change provisions relating to county assessor inspections of real property for property tax purposes	Linehan	Revenue	4/24/19	General File
LB314	Adopt the Remote Seller Sales Tax Collection Act and change revenue and taxation provisions	Briese	Revenue	2/14/19	Committee
LB349	Provide sales and use tax collection duties for certain peer-to-peer rentals of vehicles	Friesen	Revenue	3/14/19	Committee
LB493	Change provisions relating to property tax exemptions under the Nebraska Housing Agency Act	Wayne	Revenue	2/28/19	Committee
LB507	Impose sales tax on certain services and eliminate sales tax exemptions	Briese	Revenue	3/1/19	Committee
LB508	Impose sales and use taxes on certain services, eliminate sales tax exemptions, and use the increased revenue for property tax credits	Briese	Revenue	3/1/19	Committee
LB601	Change a property tax exemption relating to educational, religious, charitable, and cemetery organizations	Lindstrom	Revenue	3/27/19	Committee
LB614	Change revenue and taxation provisions	Crawford	Revenue	3/1/19	Committee
Telecommunications					
LB208	Provide an exception for leasing dark fiber or providing certain telecommunications and related services by a state agency or political subdivision	Walz	Transportation and Telecommunications	2/4/19	Committee

Bill	Summary	Introducer	Committee	Hearing Date	Current Status
LB401	Adopt the Midwest Interstate Passenger Rail Compact	Quick	Transportation and Telecommunications	3/5/19	Committee