

LEGISLATURE OF NEBRASKA
ONE HUNDRED EIGHTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 707

Introduced by Dungan, 26.

Read first time January 18, 2023

Committee: Urban Affairs

1 A BILL FOR AN ACT relating to economic development; to amend section
2 58-703, Reissue Revised Statutes of Nebraska, and section 84-612,
3 Revised Statutes Cumulative Supplement, 2022; to create the
4 Transforming Cities of the Primary Class Program and provide for
5 grants for construction of affordable housing; to change the
6 Affordable Housing Trust Fund as prescribed; to transfer money from
7 the Cash Reserve Fund as prescribed; to eliminate obsolete
8 provisions; to repeal the original sections; and to declare an
9 emergency.
10 Be it enacted by the people of the State of Nebraska,

1 Section 1. (1) For purposes of this section:

2 (a) Department means the Department of Economic Development; and

3 (b) Eligible applicant means any city of the primary class.

4 (2) The department shall create the Transforming Cities of the
5 Primary Class Program to award grants for a specified purpose described
6 in subsection (3) of this section to any eligible applicant.

7 (3) An eligible applicant may apply to the department for a grant
8 under the Transforming Cities of the Primary Class Program. Any grant
9 received by an eligible applicant shall be used for the purpose of
10 constructing housing to address affordable housing needs in a city of the
11 primary class. The department shall award up to ten million dollars of
12 available grant money for such purpose. Any eligible applicant that
13 receives a grant under this section may work with a community development
14 financial institution to implement and complete the purpose for which the
15 grant was received.

16 (4) The department may adopt and promulgate rules and regulations to
17 carry out this section.

18 (5) It is the intent of the Legislature to appropriate each fiscal
19 year all available money transferred by this legislative bill that is in
20 the Affordable Housing Trust Fund for the purposes of this section.

21 Sec. 2. Section 58-703, Reissue Revised Statutes of Nebraska, is
22 amended to read:

23 58-703 (1) The Affordable Housing Trust Fund is created. The fund
24 shall receive money pursuant to section 76-903 and may include revenue
25 from sources recommended by the housing advisory committee established in
26 section 58-704, ~~appropriations from the Legislature,~~ transfers authorized
27 by the Legislature, grants, private contributions, repayment of loans,
28 and all other sources.

29 (2) The Department of Economic Development shall administer the
30 Affordable Housing Trust Fund for the following purposes:

31 (a) As as part of its comprehensive housing affordability strategy;

1 ~~and shall administer the Affordable Housing Trust Fund.~~

2 (b) Providing grants under section 1 of this act.

3 (3) Transfers may be made from the Affordable Housing Trust Fund to
4 the General Fund, the Behavioral Health Services Fund, the Lead-Based
5 Paint Hazard Control Cash Fund, the Rural Workforce Housing Investment
6 Fund, and the Site and Building Development Fund at the direction of the
7 Legislature.

8 ~~The State Treasurer shall transfer fifty-eight thousand one hundred~~
9 ~~eighty-eight dollars from the Affordable Housing Trust Fund to the~~
10 ~~General Fund on or before September 15, 2019, on such date as directed by~~
11 ~~the budget administrator of the budget division of the Department of~~
12 ~~Administrative Services.~~

13 Sec. 3. Section 84-612, Revised Statutes Cumulative Supplement,
14 2022, is amended to read:

15 84-612 (1) There is hereby created within the state treasury a fund
16 known as the Cash Reserve Fund which shall be under the direction of the
17 State Treasurer. The fund shall only be used pursuant to this section.

18 (2) The State Treasurer shall transfer funds from the Cash Reserve
19 Fund to the General Fund upon certification by the Director of
20 Administrative Services that the current cash balance in the General Fund
21 is inadequate to meet current obligations. Such certification shall
22 include the dollar amount to be transferred. Any transfers made pursuant
23 to this subsection shall be reversed upon notification by the Director of
24 Administrative Services that sufficient funds are available.

25 (3) In addition to receiving transfers from other funds, the Cash
26 Reserve Fund shall receive federal funds received by the State of
27 Nebraska for undesignated general government purposes, federal revenue
28 sharing, or general fiscal relief of the state.

29 (4) The State Treasurer shall transfer fifty-four million seven
30 hundred thousand dollars on or after July 1, 2019, but before June 15,
31 2021, from the Cash Reserve Fund to the Nebraska Capital Construction

1 Fund on such dates and in such amounts as directed by the budget
2 administrator of the budget division of the Department of Administrative
3 Services.

4 (5) The State Treasurer shall transfer two hundred fifteen million
5 five hundred eighty thousand dollars from the Cash Reserve Fund to the
6 Nebraska Capital Construction Fund on or after July 1, 2022, but before
7 June 15, 2023, on such dates and in such amounts as directed by the
8 budget administrator of the budget division of the Department of
9 Administrative Services.

10 (6) The State Treasurer shall transfer fifty-three million five
11 hundred thousand dollars from the Cash Reserve Fund to the Perkins County
12 Canal Project Fund on or before June 30, 2023, on such dates and in such
13 amounts as directed by the budget administrator of the budget division of
14 the Department of Administrative Services.

15 (7) No funds shall be transferred from the Cash Reserve Fund to
16 fulfill the obligations created under the Nebraska Property Tax Incentive
17 Act unless the balance in the Cash Reserve Fund after such transfer will
18 be at least equal to five hundred million dollars.

19 (8) The State Treasurer shall transfer thirty million dollars from
20 the Cash Reserve Fund to the Military Base Development and Support Fund
21 on or before June 30, 2023, but not before July 1, 2022, on such dates
22 and in such amounts as directed by the budget administrator of the budget
23 division of the Department of Administrative Services.

24 (9) The State Treasurer shall transfer eight million three hundred
25 thousand dollars from the Cash Reserve Fund to the Trail Development and
26 Maintenance Fund on or after July 1, 2022, but before July 30, 2022, on
27 such dates and in such amounts as directed by the budget administrator of
28 the budget division of the Department of Administrative Services.

29 (10) The State Treasurer shall transfer fifty million dollars from
30 the Cash Reserve Fund to the Nebraska Rural Projects Fund on or after
31 July 1, 2022, but before July 15, 2023, on such dates and in such amounts

1 as directed by the budget administrator of the budget division of the
2 Department of Administrative Services.

3 (11) The State Treasurer shall transfer thirty million dollars from
4 the Cash Reserve Fund to the Rural Workforce Housing Investment Fund on
5 or after July 1, 2022, but before July 15, 2023, on such dates and in
6 such amounts as directed by the budget administrator of the budget
7 division of the Department of Administrative Services.

8 (12) The State Treasurer shall transfer twenty million dollars from
9 the Cash Reserve Fund to the Intern Nebraska Cash Fund on or after July
10 1, 2022, but before June 15, 2023, on such dates and in such amounts as
11 directed by the budget administrator of the budget division of the
12 Department of Administrative Services.

13 (13) The State Treasurer shall transfer twenty million dollars from
14 the Cash Reserve Fund to the Middle Income Workforce Housing Investment
15 Fund on July 15, 2022, or as soon thereafter as administratively
16 possible, and in such amounts as directed by the budget administrator of
17 the budget division of the Department of Administrative Services.

18 (14) The State Treasurer shall transfer eighty million dollars from
19 the Cash Reserve Fund to the Jobs and Economic Development Initiative
20 Fund on or after July 1, 2022, but before July 15, 2023, on such dates
21 and in such amounts as directed by the budget administrator of the budget
22 division of the Department of Administrative Services.

23 (15) The State Treasurer shall transfer twenty million dollars from
24 the Cash Reserve Fund to the Site and Building Development Fund on July
25 15, 2022, or as soon thereafter as administratively possible, and in such
26 amounts as directed by the budget administrator of the budget division of
27 the Department of Administrative Services.

28 (16) The State Treasurer shall transfer fifty million dollars from
29 the Cash Reserve Fund to the Surface Water Irrigation Infrastructure Fund
30 on or after July 15, 2022, but before January 1, 2023, on such dates and
31 in such amounts as directed by the budget administrator of the budget

1 division of the Department of Administrative Services.

2 (17) The State Treasurer shall transfer fifteen million dollars from
3 the Cash Reserve Fund to the Site and Building Development Fund on or
4 before June 30, 2022, on such dates and in such amounts as directed by
5 the budget administrator of the budget division of the Department of
6 Administrative Services.

7 (18) The State Treasurer shall transfer fifty-five million dollars
8 from the Cash Reserve Fund to the Economic Recovery Contingency Fund on
9 or before June 30, 2022, on such dates and in such amounts as directed by
10 the budget administrator of the budget division of the Department of
11 Administrative Services.

12 (19) The State Treasurer shall transfer ten million dollars from the
13 Cash Reserve Fund to the Affordable Housing Trust Fund as soon as
14 administratively possible after the effective date of this act, on such
15 dates and in such amounts as directed by the budget administrator of the
16 budget division of the Department of Administrative Services.

17 Sec. 4. Original section 58-703, Reissue Revised Statutes of
18 Nebraska, and section 84-612, Revised Statutes Cumulative Supplement,
19 2022, are repealed.

20 Sec. 5. Since an emergency exists, this act takes effect when
21 passed and approved according to law.