

LEGISLATURE OF NEBRASKA
ONE HUNDRED SIXTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 267

Introduced by Bolz, 29.

Read first time January 15, 2019

Committee:

- 1 A BILL FOR AN ACT relating to county government; to amend section 23-120,
- 2 Reissue Revised Statutes of Nebraska; to provide a duty for the
- 3 county board relating to deficient bridges and authorize a tax levy;
- 4 and to repeal the original section.
- 5 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 23-120, Reissue Revised Statutes of Nebraska, is
2 amended to read:

3 23-120 (1) The county board shall acquire, purchase, construct,
4 renovate, remodel, furnish, equip, add to, improve, or provide a suitable
5 courthouse, jail, and other county buildings and a site or sites
6 therefor, and repair, retrofit, reconstruct, or replace any bridge owned
7 by the county and deemed deficient by Department of Transportation
8 standards, and for such purposes borrow money and issue the bonds of the
9 county to pay for the same. Agreements entered into under section
10 25-412.03 shall be deemed to be in compliance with this section. The
11 board shall keep such buildings and bridges in repair and provide
12 suitable rooms and offices for the accommodation of the several courts of
13 record, Nebraska Workers' Compensation Court or any judge thereof,
14 Commissioner of Labor for the conduct and operation of the state free
15 employment service, county board, county clerk, county treasurer, county
16 sheriff, clerk of the district court, county surveyor, county
17 agricultural agent, and county attorney if the county attorney holds his
18 or her office at the county seat and shall provide suitable furniture and
19 equipment therefor. All such courts which desire such accommodation shall
20 be suitably housed in the courthouse.

21 (2) No levy exceeding (a) two million dollars in counties having in
22 excess of two hundred fifty thousand inhabitants, (b) one million dollars
23 in counties having in excess of one hundred thousand inhabitants and not
24 in excess of two hundred fifty thousand inhabitants, (c) three hundred
25 thousand dollars in counties having in excess of thirty thousand
26 inhabitants and not in excess of one hundred thousand inhabitants, or (d)
27 one hundred fifty thousand dollars in all other counties shall be made
28 within a one-year period for any of the purposes specified in subsection
29 (1) of this section without first submitting the proposition to a vote of
30 the people of the county at a general election or a special election
31 ordered by the board for that purpose and obtaining the approval of a

1 majority of the legal voters thereon.

2 (3)(a) The county board of any county in this state may, when
3 requested so to do by petition signed by at least a majority of the legal
4 voters in the county based on the average vote of the two preceding
5 general elections, make an annual levy of not to exceed seventeen and
6 five-tenths cents on each one hundred dollars upon the taxable value of
7 all the taxable property in the county for any of the purposes specified
8 in subsection (1) of this section.

9 (b) If a county on the day it first initiates a project for any of
10 the purposes specified in subsection (1) of this section had no bonded
11 indebtedness payable from its general fund levy, the county board may
12 make an annual levy of not to exceed five and two-tenths cents on each
13 one hundred dollars upon the taxable value of all the taxable property of
14 the county for a project or projects for any of the purposes specified in
15 subsection (1) of this section without the filing of a petition described
16 in subdivision (3)(a) of this section. The county board shall designate
17 the particular project for which such levy shall be expended, the period
18 of years, which shall not exceed twenty, for which the tax will be levied
19 for such project, and the number of cents of the levy for each year
20 thereof. The county board may designate more than one project and levy a
21 tax pursuant to this section for each such project, concurrently or
22 consecutively, as the case may be, if the aggregate levy in each year and
23 the duration of each levy will not exceed the limitations specified in
24 this subsection. Each levy for a project which is authorized by this
25 subdivision may be imposed for such duration specified by the county
26 board notwithstanding the contemporaneous existence or subsequent
27 imposition of any other levy or levies for another project or projects
28 imposed pursuant to this subdivision and notwithstanding the subsequent
29 issuance by the county of bonded indebtedness payable from its general
30 fund levy.

31 (c) A county may utilize the authority under subsection (3)(b) of

1 this section for bridges owned by the county that are deemed scour
2 critical or structurally deficient pursuant to Department of
3 Transportation standards.

4 Sec. 2. Original section 23-120, Reissue Revised Statutes of
5 Nebraska, is repealed.