

LEGISLATIVE BILL 797

Approved by the Governor August 06, 2020

Introduced by Hansen, M., 26.

A BILL FOR AN ACT relating to cities and villages; to amend section 19-3052, Revised Statutes Supplement, 2019; to change restrictions on annexation as prescribed; and to repeal the original section.
Be it enacted by the people of the State of Nebraska,

Section 1. Section 19-3052, Revised Statutes Supplement, 2019, is amended to read:

19-3052 (1) For purposes of this section, municipality means any city of the first class, city of the second class, or village which elects members of the city council or village board of trustees by districts.

(2) Any municipality which annexes territory and thereby brings sufficient new residents into such municipality so as to require that election districts be redrawn to maintain substantial population equality between districts shall redistrict its election districts so that such districts are substantially equal in population within one hundred and eighty days after the effective date of the ordinance annexing the territory. Such redistricting shall create election districts which are substantially equal in population as determined by the most recent federal decennial census or the most recent revised certified count by the United States Bureau of the Census.

(3) No municipality which proposes to annex territory and thereby bring new residents into the municipality shall annex such territory unless the redistricting required by subsection (2) of this section will be accomplished at least five months ~~eighty days~~ prior to the next primary election in which candidates for the city council or village board of trustees are nominated.

(4)(a) No city of the first class or city of the second class shall annex any territory during the period from five months ~~eighty days~~ prior to any primary election in which candidates for the city council are nominated until the date of the general election of the same year if such annexation would bring sufficient new residents into such city so as to require that election districts be redrawn to maintain substantial population equality between districts.

(b) No village shall annex any territory during the period five months ~~eighty days~~ prior to the election at which members of the village board of trustees are chosen until the date of such election if such annexation would bring sufficient new residents into such village so as to require that election districts be redrawn to maintain substantial population equality between districts.

(5)(a) No proposed annexation by a municipality shall be restricted or governed by this section unless such annexation would bring sufficient new residents into such municipality so as to require the election districts of the municipality to be redrawn to maintain substantial population equality between districts.

(b) Nothing in this section shall be construed to require a municipality to redraw the boundaries of its election districts following an annexation unless such annexation brought sufficient new residents into such municipality so as to require such redistricting to maintain substantial population equality between districts.

(c) For the purposes of this section only, a municipal annexation shall be held to have brought sufficient new residents into such municipality so as to require that its election districts be redrawn to maintain substantial population equality between districts if, following such annexation, the total range of deviation from the mean population of each election district, according to the most recent federal decennial census or the most recent revised certified count by the United States Bureau of the Census, exceeds ten percent.

Sec. 2. Original section 19-3052, Revised Statutes Supplement, 2019, is repealed.