

LEGISLATIVE UPDATE

108th Legislature



April 21, 2023

At long last, on day 63 of the 2023 Legislative Session, the Legislature passed its first bill (LB 376). According to press reports, in the last 90-day Legislative Session (2021), lawmakers had passed 57 bills by day 63 of that session. The pace of activity increased slightly during the past week as the Legislature gave final approval to four bills, including LB 77 (concealed carry handguns), and advanced five bills from General File to Select File.

PRIORITY BILL COMBOS

The Legislature advanced the first of the mega “Christmas tree” Committee priority bills on Monday, which consisted of two of the bills designated as priorities by the Health and Human Services (HHS) Committee. The combined HHS priority bills ultimately consisted of 11 separate bills.

The combined Banking, Commerce and Insurance Committee priority bills were also considered and advanced from General File to Select File in floor action on Tuesday. In addition to the 13 separate bills incorporated into LB 92, four separate bills were added to the package by way of floor amendments. The bill, advancing to Select File, contained the following measures supported by the NBA:

LB 207 – TRUST DEEDS-LOCATION OF TRUSTEE’S SALE: Senator Brad von Gillern (Omaha) is the sponsor of LB 207, which would clarify that the sale of property pursuant to a power of sale under a trust deed may be conducted on the premises, at the county courthouse, or in any public building in which one or more county offices are located within the county in which the property to be sold is situated.

LB 214 - OMNIBUS DEPARTMENT OF BANKING BILL: Introduced by Senator Julie Slama (Dunbar), LB 214 would adopt changes to federal law regarding banking and finance and change provisions relating to digital asset depositories, loan brokers, mortgage loan originators, and installment loans. The bill would also renew the annual bank and savings and loan “wild-card” provisions.

LB 669 – DEPARTMENT OF BANKING CONDITIONAL ORDERS: Introduced by Senator Beau Ballard (Lincoln), LB 669 would authorize the Director of the Department of Banking to prescribe conditions for banks, trust companies, credit unions, building and loan associations, savings and loan associations, digital asset depositories, and their holding companies, if any, as part of any written order, decision or determination required to be made pursuant to the Nebraska Banking Act, Chapter 8, Article 3, the Credit Union Act, and the Nebraska Financial Innovation Act.

LB 674 – NEBRASKA FINANCIAL INNOVATION ACT: Introduced by Senator Mike Jacobson (North Platte), LB 674 would make technical corrections to the Nebraska Financial Innovation Act regarding digital asset depositories.

LB 92 has already resurfaced on the legislative agenda and could receive Select File consideration as early as next Tuesday.

RURAL WORKFORCE HOUSING BILL ADVANCES

Among seven bills contained within the Business and Labor Committee Priority Bill were the provisions of LB 249, a bill supported by the NBA. Introduced by Senator Tom Briese (Albion) and designated as a Priority Bill by Senator Teresa Ibach (Sumner), LB 249 would allow a nonprofit development organization to apply for more than one grant subject to a limitation on the maximum amount of grant funds awarded to such nonprofit development organization over a two-year period to no more than \$5 million.

Prior to its amendment into LB 191, provisions in LB 249 to remove “anti-stacking” provisions prohibiting the mixing of certain low-income housing funds with rural workforce housing funds (removal of which was opposed by the NBA), were dropped from the bill. Provisions which would have established an additional \$20 million in funding for the Rural Workforce Housing Fund were also eliminated; however, it is anticipated that the mainline budget bill will include additional funding for Rural Workforce Housing.

MOSER ELECTED TRANSPORTATION CHAIR

With the resignation of Senator Suzanne Geist (Lincoln), the position of Chair of the Transportation and Telecommunication Committee was vacated. Lawmakers have elected Senator Mike Moser (Columbus) as chair of the Committee for the balance of the biennium. Senator Geist’s departure also opened up a position on the Executive Board and left her committee assignments on the Transportation and Telecommunication and Judiciary Committees to be filled. Senator Beau Ballard (Lincoln) has been appointed to fill the position on the Executive Board, and newly appointed Senator Carolyn Bosn (Lincoln) will serve on the Transportation and Telecommunications and Judiciary Committees.