

LEGISLATURE OF NEBRASKA  
ONE HUNDRED THIRD LEGISLATURE  
SECOND SESSION  
**LEGISLATIVE BILL 678**

Introduced by Mello, 5.

Read first time January 08, 2014

Committee:

A BILL

1 FOR AN ACT relating to the Affordable Housing Trust Fund; to amend  
2 section 58-708, Revised Statutes Cumulative Supplement,  
3 2012; to change the funding allocation percentage; to  
4 eliminate an obsolete provision; and to repeal the  
5 original section.  
6 Be it enacted by the people of the State of Nebraska,

1           Section 1. Section 58-708, Revised Statutes Cumulative  
2 Supplement, 2012, is amended to read:

3           58-708 (1) During each calendar year in which funds are  
4 available from the Affordable Housing Trust Fund for use by the  
5 Department of Economic Development, the department shall allocate a  
6 specific amount of funds, not less than ~~twenty-five~~ thirty percent,  
7 to each congressional district. ~~Entitlement area funds allocated~~  
8 ~~under this section that are not awarded to an eligible project from~~  
9 ~~within the entitlement area within one year shall be made available~~  
10 ~~for distribution to eligible projects elsewhere in the state. The~~  
11 department shall announce a grant and loan application period of at  
12 least ninety days duration for all nonentitlement areas. In selecting  
13 projects to receive trust fund assistance, the department shall  
14 develop a qualified allocation plan and give first priority to  
15 financially viable projects that serve the lowest income occupants  
16 for the longest period of time. The qualified allocation plan shall:

17           (a) Set forth selection criteria to be used to determine  
18 housing priorities of the housing trust fund which are appropriate to  
19 local conditions, including the community's immediate need for  
20 affordable housing, proposed increases in home ownership, private  
21 dollars leveraged, level of local government support and  
22 participation, and repayment, in part or in whole, of financial  
23 assistance awarded by the fund; and

24           (b) Give first priority in allocating trust fund  
25 assistance among selected projects to those projects which serve the

1 lowest income occupant and are obligated to serve qualified occupants  
2 for the longest period of time.

3 (2) The department shall fund in order of priority as  
4 many applications as will utilize available funds less actual  
5 administrative costs of the department in administering the program.  
6 In administering the program the department may contract for services  
7 or directly provide funds to other governmental entities or  
8 instrumentalities.

9 (3) The department may recapture any funds which were  
10 allocated to a qualified recipient for an eligible project through an  
11 award agreement if such funds were not utilized for eligible costs  
12 within the time of performance under the agreement and are therefor  
13 no longer obligated to the project. The recaptured funds shall be  
14 credited to the Industrial Recovery Fund except as provided in  
15 section 81-1213.

16 Sec. 2. Original section 58-708, Revised Statutes  
17 Cumulative Supplement, 2012, is repealed.