

LEGISLATURE OF NEBRASKA
ONE HUNDRED NINTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 36

Introduced by Brandt, 32.

Read first time January 09, 2025

Committee:

- 1 A BILL FOR AN ACT relating to the Wellhead Protection Area Act; to amend
- 2 section 46-1501, Reissue Revised Statutes of Nebraska; to provide
- 3 for notification of certain regulations and permits to controlling
- 4 entities by counties, cities, and villages; to harmonize provisions;
- 5 and to repeal the original section.
- 6 Be it enacted by the people of the State of Nebraska,

1 **Section 1.** Section 46-1501, Reissue Revised Statutes of Nebraska, is
2 amended to read:

3 46-1501 Sections 46-1501 to 46-1509 and section 2 of this act shall
4 be known and may be cited as the Wellhead Protection Area Act.

5 **Sec. 2.** Any county, city, or village with zoning, land-use,
6 planning, or permit-granting authority over any wellhead protection area
7 shall notify the controlling entity of such wellhead protection area of
8 any proposed land-use or zoning regulation or building permit within such
9 wellhead protection area. Such notification shall be made no less than
10 thirty days prior to any public hearing or anticipated legal action to
11 consider authorization of any land-use or zoning regulation or building
12 permit within the wellhead protection area. A county, city, or village
13 shall take into consideration the ability of a controlling entity to
14 provide the public with an adequate supply of potable water when making
15 any determinations regarding the authorization of a proposed land-use or
16 zoning regulation or building permit within a wellhead protection area.

17 **Sec. 3.** Original section 46-1501, Reissue Revised Statutes of
18 Nebraska, is repealed.