

LEGISLATURE OF NEBRASKA

ONE HUNDRED FIRST LEGISLATURE

SECOND SESSION

LEGISLATIVE BILL 917

Introduced by Rogert, 16.

Read first time January 12, 2010

Committee: Revenue

A BILL

1 FOR AN ACT relating to revenue and taxation; to amend section
2 77-2704.13, Reissue Revised Statutes of Nebraska; to
3 exempt municipal water from sales and use taxes; to
4 provide an operative date; and to repeal the original
5 section.

6 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 77-2704.13, Reissue Revised Statutes
2 of Nebraska, is amended to read:

3 77-2704.13 Sales and use taxes shall not be imposed on
4 the gross receipts from the sale, lease, or rental of and the
5 storage, use, or other consumption in this state of:

6 (1) Sales and purchases of electricity, coal, gas, fuel
7 oil, diesel fuel, tractor fuel, propane, gasoline, coke, nuclear
8 fuel, butane, wood as fuel, and corn as fuel when more than fifty
9 percent of the amount purchased is for use directly in irrigation
10 or farming;

11 (2) Sales and purchases of such energy sources or fuels
12 made before April 1, 1993, or after March 31, 1994, when more
13 than fifty percent of the amount purchased is for use directly
14 in processing, manufacturing, or refining, in the generation of
15 electricity, or by any hospital. The state tax paid on purchases
16 of such energy sources or fuels during the period beginning
17 April 1, 1993, and ending March 31, 1994, shall not exceed one
18 hundred thousand dollars for any one location when more than fifty
19 percent of the amount purchased is for use directly in processing,
20 manufacturing, or refining or by any hospital. All purchases
21 of such energy sources or fuels for use in the generation of
22 electricity during the period beginning April 1, 1993, and ending
23 March 31, 1994, shall be taxable. Any taxpayer who has paid the
24 limit of state tax on such energy sources or fuels at one location
25 shall be exempt on all other qualifying purchases at such location.

1 Such taxpayer shall be entitled to a refund of any amount of
2 state or local option tax paid on an energy source or fuel exempt
3 under this subdivision. A refund shall be made pursuant to section
4 77-2708; and

5 (3) Sales and purchases of water (a) used for irrigation
6 of agricultural lands, (b) used for ~~and~~ manufacturing purposes, or
7 (c) supplied by a municipal water supplier.

8 Sec. 2. This act becomes operative on October 1, 2010.

9 Sec. 3. Original section 77-2704.13, Reissue Revised
10 Statutes of Nebraska, is repealed.