

LEGISLATURE OF NEBRASKA  
ONE HUNDRED FIFTH LEGISLATURE  
FIRST SESSION

**LEGISLATIVE BILL 667**

Introduced by Hilkemann, 4; Smith, 14.

Read first time January 18, 2017

Committee: Revenue

- 1 A BILL FOR AN ACT relating to horseracing; to amend section 2-1208.01,
- 2 Reissue Revised Statutes of Nebraska, and section 2-1208, Revised
- 3 Statutes Cumulative Supplement, 2016; to eliminate a prohibition on
- 4 taxes and fees; to change taxation of parimutuel wagering; and to
- 5 repeal the original sections.
- 6 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 2-1208, Revised Statutes Cumulative Supplement,  
2 2016, is amended to read:

3 2-1208 For all race meetings, every corporation or association  
4 licensed under the provisions of sections 2-1201 to 2-1218 shall pay the  
5 tax imposed by section 2-1208.01 and shall also pay to the State Racing  
6 Commission the sum of sixty-four one hundredths of one percent of the  
7 gross sum wagered by the parimutuel method at each licensed racetrack  
8 enclosure during the calendar year. For race meetings devoted principally  
9 to running live races, the licensee shall pay to the commission the sum  
10 of fifty dollars for each live racing day that the licensee serves as the  
11 host track for intrastate simulcasting and twenty-five dollars for any  
12 other live racing day.

13 ~~No other license tax, permit tax, occupation tax, or excise tax or~~  
14 ~~racing fee, except as provided in this section and in sections 2-1203 and~~  
15 ~~2-1208.01, shall be levied, assessed, or collected from any such licensee~~  
16 ~~by the state or by any county, township, district, city, village, or~~  
17 ~~other governmental subdivision or body having power to levy, assess, or~~  
18 ~~collect any such tax or fee.~~

19 Sec. 2. Section 2-1208.01, Reissue Revised Statutes of Nebraska, is  
20 amended to read:

21 2-1208.01 (1) There is hereby imposed a tax on the gross sum wagered  
22 by the parimutuel method at each race enclosure during a calendar year at  
23 the rate of five and one-half percent. as follows:

24 ~~(a) The first ten million dollars shall not be taxed;~~

25 ~~(b) Any amount over ten million dollars but less than or equal to~~  
26 ~~seventy-three million dollars shall be taxed at the rate of two and one-~~  
27 ~~half percent; and~~

28 ~~(c) Any amount in excess of seventy-three million dollars shall be~~  
29 ~~taxed at the rate of four percent.~~

30 (2)(a) Except as provided in subdivision (2)(b) of this section, an  
31 amount equal to two percent of the first taxable seventy million dollars

1 at each race meeting shall be retained by the licensee for capital  
2 improvements and for maintenance of the premises within the licensed  
3 racetrack enclosure and shall be a credit against the tax levied in  
4 subsection (1) of this section. ~~This subdivision includes each race  
5 meeting held after January 1, 2010, within the licensed racetrack  
6 enclosure located in Lancaster County where the Nebraska State Fair was  
7 held prior to 2010.~~

8 (b) For race meetings conducted at the location where the Nebraska  
9 State Fair is held, an amount equal to two and one-half percent of the  
10 first taxable seventy million dollars at each race meeting shall be  
11 retained by the licensee for the purpose of maintenance of the premises  
12 within the licensed racetrack enclosure and maintenance of other  
13 buildings, streets, utilities, and existing improvements at the location  
14 where the Nebraska State Fair is held. Such amount shall be a credit  
15 against the tax levied in subsection (1) of this section.

16 (3) A return as required by the Tax Commissioner shall be filed for  
17 a racetrack enclosure for each month during which wagers are accepted at  
18 the enclosure. The return shall be filed with and the net tax due  
19 pursuant to this section shall be paid to the Department of Revenue on  
20 the tenth day of the following month.

21 Sec. 3. Original section 2-1208.01, Reissue Revised Statutes of  
22 Nebraska, and section 2-1208, Revised Statutes Cumulative Supplement,  
23 2016, are repealed.