

LEGISLATIVE BILL 364

Approved by the Governor May 16, 2007

Introduced by Flood, 19

FOR AN ACT relating to inheritance tax; to amend section 77-2014, Reissue Revised Statutes of Nebraska; to change the apportionment of tax revenue; and to repeal the original section.

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

Section 1. Section 77-2014, Reissue Revised Statutes of Nebraska, is amended to read:

77-2014 (1) Every sum of money retained by an executor, administrator, or trustee, or paid into his or her hands for any tax on any property, shall be paid by him or her within thirty days thereafter to the county treasurer of the proper county, and the county treasurer shall give, and every executor, administrator, or trustee shall take a receipt from him ~~of said~~ or her of such payments.

(2) (a) For purposes of this section, proper county shall mean the county of the decedent's residence, except (i) when the decedent had an interest in real property located in a county other than his or her residence at the time of the death of the decedent, the words proper county shall mean the county in which the real property is situated, or (ii) when the decedent had an interest in personal property subject to being listed and assessed for personal property taxation at the time of the death of the decedent, the words proper county shall mean the county where the property is listed and assessed.

(b) When the decedent is a nonresident, proper county shall mean the county provided in subdivisions (2) (a) (i) and (2) (a) (ii) of this section and, as to any other property which may be subject to Nebraska inheritance taxation, the county where such property is located.

(3) The total inheritance tax assessed against the estate shall be apportioned among the counties in the ratio that the value of the gross property subject to tax and not subject to tax under sections 77-2004, 77-2006, and 77-2007.04 located in each county bears to the gross value of all property ~~reportable for Nebraska inheritance tax purposes-~~ subject to tax and not subject to tax under sections 77-2004, 77-2006, and 77-2007.04.

(4) Questions that may arise as to the proper place to list and assess such personal property for the purposes of sections 77-2001 to 77-2037 shall be determined pursuant to procedure set forth in sections 77-2018.01 to 77-2027.

Sec. 2. Original section 77-2014, Reissue Revised Statutes of Nebraska, is repealed.