

LEGISLATURE OF NEBRASKA
ONE HUNDRED SEVENTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 853

Introduced by Day, 49; Pansing Brooks, 28; Wishart, 27.

Read first time January 06, 2022

Committee: Revenue

- 1 A BILL FOR AN ACT relating to revenue and taxation; to amend section
- 2 77-3508, Revised Statutes Cumulative Supplement, 2020; to provide a
- 3 homestead exemption for certain disabled veterans as prescribed; to
- 4 harmonize provisions; and to repeal the original section.
- 5 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 77-3508, Revised Statutes Cumulative Supplement,
2 2020, is amended to read:

3 77-3508 (1)(a) All homesteads in this state shall be assessed for
4 taxation the same as other property, except that: ~~there shall be exempt~~
5 ~~from taxation, on any homestead described in subdivision (b) of this~~
6 ~~subsection, a percentage of the exempt amount as limited by section~~
7 ~~77-3506.03. The exemption shall be based on the household income of a~~
8 ~~claimant pursuant to subsections (2) through (4) of this section.~~

9 (i) A homestead described in subdivision (b)(i), (ii), (iii), or
10 (iv) of this subsection shall receive an exemption from taxation which
11 shall be equal to the exempt amount, as limited by section 77-3506.03,
12 multiplied by the applicable percentage from subsection (2) of this
13 section. Such percentage shall be based on the household income of the
14 claimant; and

15 (ii) Beginning January 1, 2023, a homestead described in subdivision
16 (b)(v) of this subsection shall receive an exemption from taxation which
17 shall be determined as follows:

18 (A) The exempt amount, as limited by section 77-3506.03, shall be
19 multiplied by the applicable percentage from subsection (2) of this
20 section. Such percentage shall be based on the household income of the
21 claimant; and

22 (B) The amount determined under subdivision (a)(ii)(A) of this
23 subsection shall then be multiplied by the applicable percentage from
24 subsection (3) of this section. Such percentage shall be based on the
25 disability percentage of the claimant.

26 (b) The exemption described in subdivision (a) of this subsection
27 shall apply to homesteads of:

28 (i) Veterans as defined in section 80-401.01 who were discharged or
29 otherwise separated with a characterization of honorable or general
30 (under honorable conditions) and who are totally disabled by a non-
31 service-connected accident or illness;

1 (ii) Individuals who have a permanent physical disability and have
2 lost all mobility so as to preclude locomotion without the use of a
3 mechanical aid or a prosthetic device as defined in section 77-2704.09;

4 (iii) Individuals who have undergone amputation of both arms above
5 the elbow or who have a permanent partial disability of both arms in
6 excess of seventy-five percent; ~~and~~

7 (iv) Beginning January 1, 2015, individuals who have a developmental
8 disability as defined in section 83-1205; ~~and~~ -

9 (v) Beginning January 1, 2023, veterans as defined in section
10 80-401.01 who were discharged or otherwise separated with a
11 characterization of honorable or general (under honorable conditions) and
12 who are fifty percent or more disabled, but less than totally disabled,
13 due to a non-service-connected accident or illness.

14 (c) Application for the exemption described in subdivision (a) of
15 this subsection shall include certification from a qualified medical
16 physician, physician assistant, or advanced practice registered nurse for
17 subdivisions (b)(i) through (b)(iii) of this subsection, certification
18 from the United States Department of Veterans Affairs affirming that the
19 homeowner is totally disabled due to a non-service-connected accident or
20 illness for subdivision (b)(i) of this subsection, or certification from
21 the Department of Health and Human Services for subdivision (b)(iv) of
22 this subsection, or certification from the United States Department of
23 Veterans Affairs affirming that the homeowner is disabled due to a non-
24 service-connected accident or illness and documenting the disability
25 percentage for subdivision (b)(v) of this subsection. Such certification
26 from a qualified medical physician, physician assistant, or advanced
27 practice registered nurse or from the Department of Health and Human
28 Services shall be made on forms prescribed by the Department of Revenue.
29 If an individual described in subdivision (b) (b)(i), (ii), (iii), or
30 (iv) of this subsection is granted a homestead exemption pursuant to this
31 section for any year, such individual shall not be required to submit the

1 certification required under this subdivision in succeeding years if no
2 change in medical condition has occurred, except that the county assessor
3 or the Tax Commissioner may request such certification to verify that no
4 change in medical condition has occurred.

5 ~~(2)(a) (2)~~ For 2014, for a married or closely related claimant as
6 described in subsection (1) of this section, the percentage of the exempt
7 amount to be used in calculating the exemption allowed under this section
8 ~~for which the claimant shall be eligible~~ shall be the percentage in
9 Column B which corresponds with the claimant's household income in Column
10 A in the table found in this subdivision ~~subsection~~.

11	Column A	Column B
12	Household Income	Percentage
13	In Dollars	Of Relief
14	0 through 34,700	100
15	34,701 through 36,400	90
16	36,401 through 38,100	80
17	38,101 through 39,800	70
18	39,801 through 41,500	60
19	41,501 through 43,200	50
20	43,201 through 44,900	40
21	44,901 through 46,600	30
22	46,601 through 48,300	20
23	48,301 through 50,000	10
24	50,001 and over	0

25 ~~(b) (3)~~ For 2014, for a single claimant as described in subsection
26 (1) of this section, the percentage of the exempt amount to be used in
27 calculating the exemption allowed under this section ~~for which the~~
28 ~~claimant shall be eligible~~ shall be the percentage in Column B which
29 corresponds with the claimant's household income in Column A in the table
30 found in this subdivision ~~subsection~~.

1	Column A	Column B
2	Household Income	Percentage
3	In Dollars	Of Relief
4	0 through 30,300	100
5	30,301 through 31,700	90
6	31,701 through 33,100	80
7	33,101 through 34,500	70
8	34,501 through 35,900	60
9	35,901 through 37,300	50
10	37,301 through 38,700	40
11	38,701 through 40,100	30
12	40,101 through 41,500	20
13	41,501 through 42,900	10
14	42,901 and over	0

15 (c) (4) For exemption applications filed in calendar years 2015
16 through 2017, the income eligibility amounts in subdivisions (2)(a) and
17 (b) subsections (2) and (3) of this section shall be adjusted by the
18 percentage determined pursuant to the provisions of section 1(f) of the
19 Internal Revenue Code of 1986, as it existed prior to December 22, 2017.
20 For exemption applications filed in calendar year 2018 and each calendar
21 year thereafter, the income eligibility amounts in subdivisions (2)(a)
22 and (b) subsections (2) and (3) of this section shall be adjusted by the
23 percentage change in the Consumer Price Index for All Urban Consumers
24 published by the federal Bureau of Labor Statistics from the twelve
25 months ending on August 31, 2016, to the twelve months ending on August
26 31 of the year preceding the applicable calendar year. The income
27 eligibility amounts shall be adjusted for cumulative inflation since
28 2014. If any amount is not a multiple of one hundred dollars, the amount
29 shall be rounded to the next lower multiple of one hundred dollars.

30 (3) For a claimant described in subdivision (1)(b)(v) of this
31 section, the amount determined under subsection (2) of this section shall

1 be multiplied by the percentage in Column B which corresponds with the
2 claimant's disability percentage in Column A in the table found in this
3 subsection.

4	<u>Column A</u>	<u>Column B</u>
5	<u>Disability Percentage</u>	<u>Percentage To Apply To</u>
6	<u>Of Claimant</u>	<u>Amount From Subsection (2)</u>
7	<u>At least 90% but less than totally</u>	<u>90</u>
8	<u>disabled</u>	
9	<u>At least 80% but less than 90% disabled</u>	<u>80</u>
10	<u>At least 70% but less than 80% disabled</u>	<u>70</u>
11	<u>At least 60% but less than 70% disabled</u>	<u>60</u>
12	<u>At least 50% but less than 60% disabled</u>	<u>50</u>

13 Sec. 2. Original section 77-3508, Revised Statutes Cumulative
14 Supplement, 2020, is repealed.