

E AND R AMENDMENTS TO LB 1363

Introduced by Ballard, 21, Chairman Enrollment and Review

1 1. Strike the original sections and all amendments thereto and
2 insert the following new sections:

3 Section 1. Section 55-901, Revised Statutes Cumulative Supplement,
4 2022, is amended to read:

5 55-901 (1) The Military Base Development and Support Fund is
6 created. The fund shall be used to contribute to construction,
7 development, or support on any military base, located in Nebraska, for
8 purposes of improving mission retention and recruitment; supporting the
9 morale, health, and mental wellness of military members and families; and
10 growing the economic impact of military bases in Nebraska. The Department
11 of Veterans' Affairs shall administer the fund. The fund shall consist of
12 money received pursuant to section 76-903, transfers authorized by the
13 Legislature, and any gifts, grants, or bequests from any source,
14 including federal, state, public, and private sources, for such purposes.
15 Any money in the fund available for investment shall be invested by the
16 state investment officer pursuant to the Nebraska Capital Expansion Act
17 and the Nebraska State Funds Investment Act.

18 (2) Money transferred to the fund under section 76-903 shall be used
19 for funding businesses and amenities linked to military installations and
20 enhancing business attraction and economic growth in Nebraska's military
21 sector through distributions of:

22 (a) Twenty-five percent of the money as grants to organizations that
23 support the United States Department of Defense SkillBridge program;

24 (b) Twenty-five percent of the money as grants to programs providing
25 mental health services for veterans;

26 (c) Twenty-five percent of the money for military research and
27 development planning, which may be used to administer programming; and

- 1 (d) ~~Twenty-five percent of the money to support veteran businesses;~~
2 (3) ~~(2)~~ The fund may be used for projects on military bases located
3 in Nebraska, including, but not limited to:
4 (a) An outdoor airman amenity pavilion;
5 (b) Track and field stadium improvements;
6 (c) A parade-ground walking trail;
7 (d) Improvements at Willow Lakes Golf Course;
8 (e) Base Lake improvements;
9 (f) Landscape enhancements;
10 (g) Deterrence Park;
11 (h) Looking Glass Heritage Park;
12 (i) Quarters 13 comprehensive repairs, design, and construction; and
13 (j) B1000 Rooftop Garden.

14 (4) ~~(3)~~ The Department of Veterans' Affairs shall require a match of
15 private funding in an amount equal to or greater than one-half of the
16 total cost of any project listed in subsection (3) ~~(2)~~ of this section
17 prior to authorizing an expenditure from the fund.

18 Sec. 2. Section 76-901, Reissue Revised Statutes of Nebraska, is
19 amended to read:

20 76-901 There is hereby imposed a tax on the grantor executing the
21 deed as defined in section 76-203 upon the transfer of a beneficial
22 interest in or legal title to real estate at the rate of three ~~two~~
23 dollars and twenty-five cents for each one thousand dollars value or
24 fraction thereof. For purposes of sections 76-901 to 76-908, value means
25 (1) in the case of any deed, not a gift, the amount of the full actual
26 consideration thereof, paid or to be paid, including the amount of any
27 lien or liens assumed, and (2) in the case of a gift or any deed with
28 nominal consideration or without stated consideration, the current market
29 value of the property transferred. Such tax shall be evidenced by stamps
30 to be attached to the deed. All deeds purporting to transfer legal title
31 or beneficial interest shall be presumed taxable unless it clearly

1 appears on the face of the deed or sufficient documentary proof is
2 presented to the register of deeds that the instrument is exempt under
3 section 76-902.

4 Sec. 3. Section 76-903, Reissue Revised Statutes of Nebraska, is
5 amended to read:

6 76-903 The Tax Commissioner shall design such stamps in such
7 denominations as in his or her judgment will be the most advantageous to
8 all persons concerned. When any deed subject to the tax imposed by
9 section 76-901 is offered for recordation, the register of deeds shall
10 ascertain and compute the amount of the tax due thereon and shall collect
11 such amount as a prerequisite to acceptance of the deed for recordation.
12 If a dispute arises concerning the taxability of the transfer, the
13 register of deeds shall not record the deed until the disputed tax is
14 paid. If a disputed tax has been paid, the taxpayer may file for a refund
15 pursuant to section 76-908. The taxpayer may also seek a declaratory
16 ruling pursuant to rules and regulations adopted and promulgated by the
17 Department of Revenue. From each ~~three two~~ dollars and twenty-five cents
18 of tax collected pursuant to section 76-901, the register of deeds shall
19 retain one dollar and fifteen ~~fifty~~ cents to be placed in the county
20 general fund and shall remit the balance to the State Treasurer who shall
21 credit or distribute: ~~ninety-five cents of such amount to the Affordable~~
22 ~~Housing Trust Fund, twenty-five cents of such amount to the Site and~~
23 ~~Building Development Fund, twenty-five cents of such amount to the~~
24 ~~Homeless Shelter Assistance Trust Fund, and thirty cents of such amount~~
25 ~~to the Behavioral Health Services Fund.~~

26 (1) One dollar and five cents of such amount to the Affordable
27 Housing Trust Fund;

28 (2) Twenty-five cents of such amount to the Site and Building
29 Development Fund;

30 (3) Twenty-five cents of such amount to the Homeless Shelter
31 Assistance Trust Fund;

1 (4) Thirty-four cents of such amount to the Behavioral Health
2 Services Fund;

3 (5) Five cents of such amount to the Economic Recovery Contingency
4 Fund for the establishment and operation of an office to pursue and
5 coordinate grant funding on behalf of the state;

6 (6) Five cents of such amount to the Military Base Development and
7 Support Fund to provide funding to support businesses and amenities
8 linked to military installations and to enhance business attraction and
9 economic growth in Nebraska's military sector through the distributions
10 described in subsection (2) of section 55-901;

11 (7) Eight cents of such amount to the Innovation Hub Cash Fund for
12 the operational support of innovation hubs; and

13 (8) Three cents of such amount to the Health Care Homes for the
14 Medically Underserved Fund for federally qualified health centers as
15 grants to be used for persons receiving services under subsections (h)
16 and (i) of section 330 of the federal Public Health Service Act, 42
17 U.S.C. 254b, as such section existed on January 1, 2024.

18 Sec. 4. Section 77-1327, Reissue Revised Statutes of Nebraska, is
19 amended to read:

20 77-1327 (1) It is the intent of the Legislature that accurate and
21 comprehensive information be developed by the Property Tax Administrator
22 and made accessible to the taxing officials and property owners in order
23 to ensure the uniformity and proportionality of the assessments of real
24 property valuations in the state in accordance with law and to provide
25 the statistical and narrative reports pursuant to section 77-5027.

26 (2) All transactions of real property for which the statement
27 required in section 76-214 is filed shall be available for development of
28 a sales file by the Property Tax Administrator. All transactions with
29 stated consideration of more than one hundred dollars or upon which more
30 than three ~~two~~ dollars and twenty-five cents in documentary stamp taxes
31 are paid shall be considered sales. All sales shall be deemed to be arm's

1 length transactions unless determined to be otherwise under
2 professionally accepted mass appraisal techniques. The Department of
3 Revenue shall not overturn a determination made by a county assessor
4 regarding the qualification of a sale unless the department reviews the
5 sale and determines through the review that the determination made by the
6 county assessor is incorrect.

7 (3) The Property Tax Administrator annually shall make and issue
8 comprehensive assessment ratio studies of the average level of
9 assessment, the degree of assessment uniformity, and the overall
10 compliance with assessment requirements for each major class of real
11 property subject to the property tax in each county. The comprehensive
12 assessment ratio studies shall be developed in compliance with
13 professionally accepted mass appraisal techniques and shall employ such
14 statistical analysis as deemed appropriate by the Property Tax
15 Administrator, including measures of central tendency and dispersion. The
16 comprehensive assessment ratio studies shall be based upon the sales file
17 as developed in subsection (2) of this section and shall be used by the
18 Property Tax Administrator for the analysis of the level of value and
19 quality of assessment for purposes of section 77-5027 and by the Property
20 Tax Administrator in establishing the adjusted valuations required by
21 section 79-1016. Such studies may also be used by assessing officials in
22 establishing assessed valuations.

23 (4) For purposes of determining the level of value of agricultural
24 and horticultural land subject to special valuation under sections
25 77-1343 to 77-1347.01, the Property Tax Administrator shall annually make
26 and issue a comprehensive study developed in compliance with
27 professionally accepted mass appraisal techniques to establish the level
28 of value if in his or her opinion the level of value cannot be developed
29 through the use of the comprehensive assessment ratio studies developed
30 in subsection (3) of this section.

31 (5) County assessors and other taxing officials shall electronically

1 report data on the assessed valuation and other features of the property
2 assessment process for such periods and in such form and content as the
3 Property Tax Administrator shall deem appropriate. The Property Tax
4 Administrator shall so construct and maintain the system used to collect
5 and analyze the data to enable him or her to make intracounty comparisons
6 of assessed valuation, including school districts and other political
7 subdivisions, as well as intercounty comparisons of assessed valuation,
8 including school districts and other political subdivisions. The Property
9 Tax Administrator shall include analysis of real property sales pursuant
10 to land contracts and similar transfers at the time of execution of the
11 contract or similar transfer.

12 Sec. 5. Section 77-2005, Revised Statutes Cumulative Supplement,
13 2022, is amended to read:

14 77-2005 (1) In the case of an uncle, aunt, niece, or nephew related
15 to the deceased by blood or legal adoption, or other lineal descendant of
16 the same, or the spouse or surviving spouse of any of such persons, the
17 rate of tax shall be:

18 (a) For decedents dying prior to January 1, 2023, thirteen percent
19 of the clear market value of the property received by each person in
20 excess of fifteen thousand dollars; ~~and~~

21 (b) For decedents dying on or after January 1, 2023, and before
22 January 1, 2025, eleven percent of the clear market value of the property
23 received by each person in excess of forty thousand dollars; and -

24 (c) For decedents dying on or after January 1, 2025, eight percent
25 of the clear market value of the property received by each person in
26 excess of forty thousand dollars.

27 (2) If the clear market value of the beneficial interest is less
28 than or equal to the applicable exempt amount under subsection (1) of
29 this section, it shall not be subject to tax. In addition, any interest
30 passing to a person described in subsection (1) of this section who is
31 under twenty-two years of age shall not be subject to tax.

1 Sec. 6. Section 77-2006, Revised Statutes Cumulative Supplement,
2 2022, is amended to read:

3 77-2006 (1) In all other cases the rate of tax shall be:

4 (a) For decedents dying prior to January 1, 2023, eighteen percent
5 of the clear market value of the beneficial interests received by each
6 person in excess of ten thousand dollars;~~and~~

7 (b) For decedents dying on or after January 1, 2023, and before
8 January 1, 2025, fifteen percent of the clear market value of the
9 beneficial interests received by each person in excess of twenty-five
10 thousand dollars; and -

11 (c) For decedents dying on or after January 1, 2025, eight percent
12 of the clear market value of the beneficial interests received by each
13 person in excess of twenty-five thousand dollars.

14 (2) If the clear market value of the beneficial interest is less
15 than or equal to the applicable exempt amount under subsection (1) of
16 this section, it shall not be subject to any tax. In addition, any
17 interest passing to a person who is under twenty-two years of age shall
18 not be subject to tax.

19 Sec. 7. Section 81-12,114, Revised Statutes Cumulative Supplement,
20 2022, is amended to read:

21 81-12,114 (1) The Innovation Hub Cash Fund is created. The fund
22 shall be administered by the department and shall consist of application
23 fees received under section 81-12,110, money received pursuant to section
24 76-903, funds transferred by the Legislature, and any other money as
25 determined by the Legislature.

26 (2) The fund shall be used by the department for purposes of
27 carrying out the Nebraska Innovation Hub Act. Money transferred to the
28 fund under section 76-903 shall be used for the operational support of
29 innovation hubs. Any money in the fund available for investment shall be
30 invested by the state investment officer pursuant to the Nebraska Capital
31 Expansion Act and the Nebraska State Funds Investment Act.

1 Sec. 8. Section 81-12,243, Revised Statutes Supplement, 2023, is
2 amended to read:

3 81-12,243 (1) The Economic Recovery Contingency Fund is created. The
4 fund shall consist of money received pursuant to section 76-903 and
5 transfers by the Legislature to carry out the Economic Recovery Act. Any
6 money in the fund available for investment shall be invested by the state
7 investment officer pursuant to the Nebraska Capital Expansion Act and the
8 Nebraska State Funds Investment Act. Investment earnings on and after
9 July 1, 2023, shall be credited to the fund.

10 (2) Money transferred to the fund under section 76-903 shall be used
11 for the establishment and operation of an office to pursue and coordinate
12 grant funding on behalf of the state.

13 (3) (2) The Department of Economic Development may review the
14 projects listed in the coordination plan and the appendices by the
15 Economic Recovery Special Committee of the Legislature dated January 10,
16 2023, and shall prioritize the use of the fund on projects listed in the
17 coordination plan followed by the projects in the appendices.

18 Sec. 9. Section 81-3140, Revised Statutes Cumulative Supplement,
19 2022, is amended to read:

20 81-3140 (1)(a) The purpose of the Health Care Homes for the
21 Medically Underserved Fund is to enhance the ability of Nebraska's
22 federally qualified health centers to provide patient-centered medical
23 homes to low-income medically underserved populations. Twenty-five
24 percent of the state portion of medicaid fraud settlement funds deposited
25 into the Medicaid Fraud Settlement Fund in the Department of Health and
26 Human Services annually shall be transferred to the Health Care Homes for
27 the Medically Underserved Fund for distribution to federally qualified
28 health centers in Nebraska. Such funds shall be distributed
29 proportionately based on the unduplicated number of patients served in
30 the previous year by such federally qualified health centers as reported
31 through the uniform data system of the Health Resources and Services

1 Administration of the United States Department of Health and Human
2 Services.

3 (b) Five percent of the state portion of the medicaid fraud
4 settlement funds deposited into the Medicaid Fraud Settlement Fund in the
5 Department of Health and Human Services annually shall be transferred to
6 the Health Care Homes for the Medically Underserved Fund for distribution
7 to federally qualified health centers in Nebraska. Such funds shall be
8 used for persons receiving services under section 330(h) or 330(i) of the
9 federal Public Health Service Act, 42 U.S.C. 254b, as such section
10 existed on January 1, 2016.

11 (2) Funds distributed pursuant to subsection (1) of this section
12 shall be used for the following purposes:

13 (a) Hiring, training, certifying, and maintaining staff dedicated to
14 patient-centered chronic disease management, including, but not limited
15 to, case managers, health educators, social workers, outreach and
16 enrollment workers, and community health workers;

17 (b) Providing services, including, but not limited to, interpreter
18 services, transportation services, and social work assistance;

19 (c) Capital improvements, including, but not limited to, facility
20 expansion, leasing additional space, and furnishing, equipment, or
21 redesign of facilities to support patient-centered care;

22 (d) Medication management, including, but not limited to, clinical
23 pharmacy services, pharmacists, clinical pharmacists, technology for
24 monitoring and real-time notification, and care managers;

25 (e) Information technology, including, but not limited to,
26 telehealth services, analytics tools, patient registries, and updates to
27 electronic health records systems; and

28 (f) Reimbursement to health care providers, including, but not
29 limited to, physicians, nurse practitioners, dieticians, diabetic
30 educators, behavioral health providers, and oral health providers.

31 (3)(a) Money transferred to the fund under subdivision (8) of

1 section 76-903 shall be distributed to federally qualified health centers
2 proportionately based on the unduplicated number of uninsured patients
3 served in the previous year by such federally qualified health centers as
4 reported on the uniform data system of the Health Resources and Services
5 Administration of the United States Department of Health and Human
6 Services.

7 (b) Money transferred to the fund under subdivision (9) of section
8 76-903 shall be distributed to federally qualified health centers as
9 grants to be used for persons receiving services under subsections (h)
10 and (i) of section 330 of the federal Public Health Service Act, 42
11 U.S.C. 254b, as such section existed on January 1, 2024.

12 Sec. 10. This act becomes operative on October 1, 2024.

13 Sec. 11. Original sections 76-901, 76-903, and 77-1327 Reissue
14 Revised Statutes of Nebraska, sections 55-901, 77-2005, 77-2006,
15 81-12,114, and 81-3140, Revised Statutes Cumulative Supplement, 2022, and
16 section 81-12,243, Revised Statutes Supplement, 2023, are repealed.

17 2. On page 1, strike beginning with "revenue" in line 1 through line
18 10 and insert "revenue and taxation; to amend sections 76-901, 76-903,
19 and 77-1327, Reissue Revised Statutes of Nebraska, sections 55-901,
20 77-2005, 77-2006, 81-12,114, and 81-3140, Revised Statutes Cumulative
21 Supplement, 2022, and section 81-12,243, Revised Statutes Supplement,
22 2023; to change provisions relating to the rate and disbursement of the
23 documentary stamp tax, the Military Base Development and Support Fund,
24 the Innovation Hub Cash Fund, the Economic Recovery Contingency Fund, and
25 the Health Care Homes for the Medically Underserved Fund; to change
26 inheritance tax rates as prescribed; to harmonize provisions; to provide
27 an operative date; and to repeal the original sections."