

ONE HUNDRED EIGHTH LEGISLATURE - FIRST SESSION - 2023
COMMITTEE STATEMENT (CORRECTED)
LB4

Hearing Date: Thursday January 26, 2023
Committee On: Revenue
Introducer: Sanders
One Liner: Change homestead exemption provisions relating to qualifications, application requirements, and penalties

Roll Call Vote - Final Committee Action:
Advanced to General File with amendment(s)

Vote Results:

Aye: 8 Senators Albrecht, Bostar, Briese, Dungan, Kauth, Linehan, Murman, von Gillern
Nay:
Absent:
Present Not Voting:

Testimony:

Proponents:

Senator Rita Sanders
Kenneth Pancake
Gregory Holloway
Jon Cannon
Angi Burmeister
Matthew MacDonald

Representing:

District 45
Introducer, Senator Rita Sanders
Nebraska Veterans Council
Nebraska Association of County Officials - NACO
Sarpy County Board
Sarpy County Veterans Services

Opponents:

Representing:

Neutral:

Representing:

* ADA Accommodation Written Testimony

Summary of purpose and/or changes:

LB 4 separates within Neb. Rev. Stat. 77-3506 definitions for permanent and temporary disability and their requirements to qualify and recertify for a homestead exemption under this section; establishes a requirement within Neb. Rev. Stat. 77-3512 to recertify for the exemption for all classifications; and establishes the capability within Neb. Rev. Stat. 77-3522 by the county assessor to revoke such status upon a failure to notify of a change in status by the property owner.

Background & Legislative History:

Current law does not separate someone who draws compensation from the United States Department of Veteran Affairs due to 100% temporary service-related disability from someone who is drawing compensation due to 100% permanent services related disability. Current law also does not require a periodic recertification of such qualification. This bill would

allow for such a person to qualify for a homestead exemption, and would also require periodic certification for all who qualify under sections relating to disabled veterans qualifying under this section.

Section-by-Section Summary:

Section 1. Amends Neb. Rev. Stat. 77-3506 to separate veterans who receive compensation from the United States Department of Veterans Affairs for a one hundred percent service-connected temporary disability from those receiving compensation for a one hundred percent service-connected permanent disability.

It further amends Neb. Rev. Stat. 77-3506 to provide for a required five-year reapplication for those qualifying for the exemption provided under subsection (2)(a) of the act, which allows for the homestead exemption for those receiving compensation from the United States Department of Veterans Affairs for a service-related injury with 100% permanent disability; and provides for a one-year reapplication for those qualifying for the exemption under (2)(b), (c), (d), (e), and (f), which includes the new 100% temporary disability definition noted above.

Section 2. Amends Neb. Rev. Stat. 77-3512 to relocate an automatic waiver of the exemption within the statute and add a provision that the waiver occurs in the year applicable; states that an exemption provided under 2(a) of Neb. Rev. Stat. 77-3506 is required to reapply only once every five years; and provides provision for the surviving spouse if the person who qualifies for the exemption passes away within that five years.

Section 3. Amends Neb. Rev. Stat. 77-3513 to provide notice for those required to reapply within the current year, to reflect the five-year reapplication provision added in the sections above.

Section 4. Amends Neb. Rev. Stat. 77-3522 to add "knowingly" to providing a fraudulent exemption request; also amends the same statute to reflect the County Assessor's ability to reinstate property taxes due if it is believed a change in status has occurred for either ownership of the property that is not covered or a change in status for the person whom the exemption is awarded and such person fails to notify the County Assessor of such change; further amends the same statute to provide provision for the new five-year reapplication shown above and also procedure for payment of such property taxes as would be assessed due to the change in status; and further amends the same statute to provide processes for appeal of any such decision made by the County Assessor under these statutes.

Section 5. Sets an operative date for the statute.

Section 6 . Repeals original sections of the statutes indicated in Sections 1 through 4.

Explanation of amendments:

LB4, AM284, changes the five-year Homestead Exemption renewal for permanently disabled veterans from every five years to every five years divisible by five to coordinate all renewals at one time.

Lou Ann Linehan, Chairperson