

LEGISLATIVE BILL 830

Approved by the Governor April 10, 2012

Introduced by Hadley, 37; Avery, 28; Cornett, 45; Haar, 21; Hansen, 42.

FOR AN ACT relating to revenue and taxation; to amend sections 77-2701 and 77-2701.04, Reissue Revised Statutes of Nebraska; to provide a sales and use tax exemption for biochips as prescribed; to harmonize provisions; to provide an operative date; to repeal the original sections; and to declare an emergency.

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

Section 1. Section 77-2701, Reissue Revised Statutes of Nebraska, is amended to read:

77-2701 Sections 77-2701 to 77-27,135.01 and 77-27,228 to 77-27,236 and section 3 of this act shall be known and may be cited as the Nebraska Revenue Act of 1967.

Sec. 2. Section 77-2701.04, Reissue Revised Statutes of Nebraska, is amended to read:

77-2701.04 For purposes of sections 77-2701.04 to 77-2713 and section 3 of this act, unless the context otherwise requires, the definitions found in sections 77-2701.05 to 77-2701.53 shall be used.

Sec. 3. (1) Sales and use taxes shall not be imposed on the gross receipts from the sale, lease, or rental of and the storage, use, or other consumption in this state of biochips used for the purposes of conducting genotyping or the analysis of gene expression, protein expression, genomic sequencing, or protein profiling of plants, animals, or nonhuman laboratory research model organisms.

(2) For purposes of this section, a biochip is a solid substrate upon or into which is incorporated specific genetic or protein information or chemicals that are queried through one or more chemical interactions allowing (a) an isolation of one or more single nucleotide polymorphisms which constitute an animal or plant genotype, (b) an expression profile which measures activity of genes or the presence of proteins, or (c) a detailed genomic sequence or protein profile. The specific genetic or protein information or chemicals incorporated upon or into the biochip are consumed in the process of conducting the analysis.

Sec. 4. This act becomes operative on July 1, 2012.

Sec. 5. Original sections 77-2701 and 77-2701.04, Reissue Revised Statutes of Nebraska, are repealed.

Sec. 6. Since an emergency exists, this act takes effect when passed and approved according to law.