

AMENDMENTS TO LB233

(Amendments to Standing Committee amendments, AM127)

Introduced by Krist, 10.

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

3 Section 1. Sections 1 to 9 of this act shall be known and may be
4 cited as the Agricultural Valuation Fairness Act.

5 Sec. 2. Pursuant to Article VIII, section 1, subdivisions (4) and
6 (5), of the Constitution of Nebraska, the Legislature finds and declares
7 that:

8 (1) The agricultural industry is a vital part of the economy of this
9 state;

10 (2) The nature of the agricultural industry and commodity prices
11 affect the value of agricultural land and horticultural land;

12 (3) All agricultural land and horticultural land in Nebraska has an
13 actual value as defined in section 77-112 reflecting purposes or uses
14 other than agricultural or horticultural purposes or uses;

15 (4) Market influences to use agricultural land and horticultural
16 land for purposes other than agricultural or horticultural purposes are
17 present throughout the state and cause the prices paid for agricultural
18 land and horticultural land to exceed the value such land has for
19 agricultural or horticultural purposes;

20 (5) The best and most uniform way to exclude any value that
21 agricultural land and horticultural land has for purposes other than
22 agricultural or horticultural purposes is to rely on the income-producing
23 characteristics of the land; and

24 (6) Agricultural land and horticultural land should be assessed at
25 its agricultural-use value using an income approach that complies with
26 professionally accepted mass appraisal techniques.

1 Sec. 3. For purposes of the Agricultural Valuation Fairness Act:

2 (1) Agricultural land and horticultural land means a parcel of land,
3 excluding land associated with a building or enclosed structure located
4 on the parcel, which is primarily used for agricultural or horticultural
5 purposes, including wasteland lying in or adjacent to and in common
6 ownership or management with other agricultural land and horticultural
7 land;

8 (2) Agricultural or horticultural purposes means used for the
9 commercial production of any plant or animal product in a raw or
10 unprocessed state that is derived from the science and art of
11 agriculture, aquaculture, or horticulture. Agricultural or horticultural
12 purposes includes the following uses of land:

13 (a) Land retained or protected for future agricultural or
14 horticultural purposes under a conservation easement approved as required
15 by section 76-2,112 except when the parcel or a portion thereof is being
16 used for purposes other than agricultural or horticultural purposes; and

17 (b) Land enrolled in a federal or state program in which payments
18 are received for removing such land from agricultural or horticultural
19 production;

20 (3) Agricultural-use value means the value of land for agricultural
21 or horticultural purposes or uses without regard to the value of such
22 land for other purposes or uses as determined pursuant to the
23 Agricultural Valuation Fairness Act;

24 (4) Farm home site means land contiguous to a farm site which
25 includes an inhabitable residence and improvements used for residential
26 purposes and which is located outside of urban areas or outside a platted
27 and zoned subdivision; and

28 (5) Farm site means the portion of land contiguous to land actively
29 devoted to agriculture which includes improvements that are agricultural
30 or horticultural in nature, including any uninhabitable or unimproved
31 farm home site.

1 Sec. 4. (1) Agricultural land and horticultural land shall be a
2 separate and distinct class of real property for purposes of assessment.

3 (2) For assessments made on or after January 1, 2018, the assessed
4 value of agricultural land and horticultural land shall be determined as
5 follows:

6 (a) The assessed value of agricultural land and horticultural land
7 shall not be uniform and proportionate with all other real property, but
8 the assessed value shall be uniform and proportionate within the class of
9 agricultural land and horticultural land based on the income potential of
10 the land; and

11 (b) Agricultural land and horticultural land shall be valued at its
12 agricultural-use value as determined pursuant to the Agricultural
13 Valuation Fairness Act regardless of any value which such land might have
14 for purposes other than agricultural or horticultural purposes.

15 (3) The eligibility of land for agricultural-use value shall be
16 determined each year as of January 1. If land so qualified becomes
17 disqualified on or before December 31 of that year, it shall continue to
18 receive agricultural-use value until January 1 of the year following.

19 Sec. 5. (1) All agricultural land and horticultural land shall be
20 assessed for taxation purposes using an income-approach calculation to
21 determine the agricultural-use value for each assessment year beginning
22 on or after January 1, 2018. The income-approach calculation shall be
23 consistent with the Agricultural Valuation Fairness Act and any rules and
24 regulations adopted and promulgated by the Tax Commissioner and shall
25 comply with professionally accepted mass appraisal techniques.

26 (2) For purposes of assessing agricultural land and horticultural
27 land using the income approach, agricultural land and horticultural land
28 shall be divided into classes and subclasses of real property under
29 section 77-103.01, including, but not limited to, irrigated cropland,
30 dryland cropland, grassland used for grazing, grassland used for haying,
31 wasteland, nurseries, feedlots, and orchards, so that the categories

1 reflect uses appropriate for the valuation of such land according to law.
2 Classes shall be inventoried by subclasses of real property based on soil
3 classification standards developed by the Natural Resources Conservation
4 Service of the United States Department of Agriculture as converted into
5 productivity groups by the Agricultural Land Valuation Committee. Nothing
6 in this section shall be construed to limit the classes and subclasses of
7 real property that may be used by the committee, county assessors, or the
8 Tax Equalization and Review Commission to achieve more uniform and
9 proportionate valuations.

10 Sec. 6. (1) The Agricultural Land Valuation Committee is created.
11 The committee's purpose shall be to group soil classifications into
12 productivity groups by class or subclass of property. The committee shall
13 also develop income and expense estimates for all productivity groups in
14 Nebraska and capitalization rates for each class and subclass of
15 agricultural land and horticultural land in each county as necessary to
16 produce uniform and proportionate assessed valuations. The committee
17 shall meet at least six times per year at the call of the chairperson.
18 The committee shall consist of the following five persons:

19 (a) The Tax Commissioner or a designee from his or her staff who
20 shall serve as the chairperson of the committee;

21 (b) A representative of the agricultural and horticultural industry
22 appointed by the Tax Commissioner. The appointment shall be based on
23 recommendations made by not less than three industry groups designated by
24 the Tax Commissioner;

25 (c) A county assessor appointed by the Tax Commissioner. The county
26 assessor shall be skilled in the valuation of agricultural land and
27 horticultural land and shall hold a certificate issued under section
28 77-422;

29 (d) An appraiser from the private sector appointed by the Tax
30 Commissioner. Such appraiser shall hold an Accredited Rural Appraiser
31 designation granted by the American Society of Farm Managers and Rural

1 Appraisers; and

2 (e) A representative from the faculty of one of the research
3 universities in the state specializing in agricultural economics
4 appointed by the Tax Commissioner.

5 (2) The committee shall meet in November 2017 and each November
6 thereafter to establish income for each productivity group based on
7 information available to the committee from the United States Department
8 of Agriculture, the University of Nebraska Institute of Agriculture and
9 Natural Resources, the Nebraska Investment Finance Authority, the
10 Department of Revenue, and any other sources determined necessary by the
11 committee. The committee shall meet in November 2017 to establish
12 capitalization rates for each class or subclass of agricultural land and
13 horticultural land as provided in section 7 of this act. Beginning in
14 November 2018 and each November thereafter, the committee shall review
15 the capitalization rates and make adjustments as necessary to ensure
16 uniform and proportionate assessments of all agricultural land and
17 horticultural land. The Department of Revenue shall electronically
18 publish notice of the committee's meetings no less than thirty days in
19 advance.

20 (3) Agricultural land and horticultural land shall be valued based
21 on the agricultural-use value, reflected in a capitalized income approach
22 developed pursuant to the Agricultural Valuation Fairness Act, using
23 professionally accepted mass appraisal techniques. The assessed values of
24 agricultural land and horticultural land shall be determined on the basis
25 of the land's productivity in use for agricultural or horticultural
26 purposes by capitalizing the net income by a rate that reflects the
27 agricultural-use value in the ordinary course of trade.

28 (4) For irrigated cropland and dryland cropland, gross income shall
29 be determined by multiplying the average yield for each county by the
30 prior year average commodity price for each major crop type harvested in
31 each county.

1 (5) For irrigated cropland, dryland cropland, and grassland used for
2 hay, the average yield information shall be determined based on the
3 eight prior years published by the United States Department of
4 Agriculture for those commodities appropriate for each productivity
5 group, with the highest and lowest yields for that period excluded. The
6 average commodity price shall be based on an average of the most recent
7 eight years, excluding the highest and lowest prices of that period.

8 (6) For grassland used for grazing, the average yield shall be based
9 on the carrying capacity in terms of animal-unit months and the current
10 rental value per animal-unit month for each productivity group. Carrying
11 capacity, by productivity group, shall be based on productivity estimates
12 published by the Natural Resources Conservation Service of the United
13 States Department of Agriculture or other state or federal agencies as
14 determined by the committee. Rental values per animal-unit month shall be
15 based on an average of the most recent eight years, excluding the highest
16 and lowest values of that period.

17 (7) The gross income shall be established as a dollar-per-acre value
18 by weighting the major crop types harvested in each county by the number
19 of acres harvested in the previous year. Such crops may include
20 continuous cropland wheat, summer fallow wheat, corn for grain, dry
21 beans, sorghum for grain, sugar beets, soybeans for beans, oats, and
22 alfalfa. Additional crop information appropriate for predominant crops in
23 a county or productivity group shall also be included when available.

24 (8) Land uses such as accretion land, wasteland, orchards,
25 vineyards, nurseries, and other agricultural land uses without sufficient
26 income information available shall be valued using a sales comparison
27 approach or other professionally accepted mass appraisal technique that
28 produces an assessment at seventy-five percent of its actual value for
29 agricultural or horticultural purposes.

30 (9) Expenses shall be determined by the committee to reflect average
31 expenses associated for each land use based on information from the

1 United States Department of Agriculture, the University of Nebraska
2 Institute of Agriculture and Natural Resources, landowner surveys made
3 available to the committee, or other sources that yield reliable
4 information. The committee may also use the typical landowner share,
5 which reflects the proportion of the gross receipts received by the
6 landowner in the normal course of farm operation, and typical leasing
7 arrangements as determined from surveys conducted by the Property Tax
8 Administrator or as published by other state or federal agencies.

9 Sec. 7. The Agricultural Land Valuation Committee shall determine
10 value for each productivity group in each county by dividing the income
11 determined for each parcel under section 6 of this act by a
12 capitalization rate established by the committee. The committee shall
13 establish the capitalization rates to be applied to each class or
14 subclass of agricultural land and horticultural land within each county.
15 The committee shall ensure that the capitalization rates established
16 under this section result in an aggregate agricultural-use value for the
17 class of agricultural land and horticultural land that is seventy-five
18 percent of the actual value that the agricultural land and horticultural
19 land has for agricultural or horticultural purposes. The committee shall
20 issue a report of the values established for each productivity group to
21 each county assessor in Nebraska no later than January 1 of each year.

22 Sec. 8. (1) The county assessor shall implement the values
23 determined by the Agricultural Land Valuation Committee under section 7
24 of this act. The resulting assessed values for the class of agricultural
25 land and horticultural land shall be reported on the abstract of real
26 property pursuant to section 77-1514.

27 (2) If a county assessor, based on the facts and circumstances,
28 believes that the values for a productivity group as determined by the
29 committee under sections 6 and 7 of this act result in values that are
30 not uniform and proportionate within the class of agricultural land and
31 horticultural land, the county assessor may petition the Tax

1 Commissioner, on or before February 1, for an alternative value to be
2 applied to that productivity group. The county assessor shall show that
3 the use of the committee's income as determined under section 6 of this
4 act or capitalization rate as determined under section 7 of this act
5 results in agricultural-use values that are not uniform and
6 proportionate. The Tax Commissioner shall issue a written order to the
7 county assessor no later than March 1.

8 (3) If the Property Tax Administrator, based on the facts and
9 circumstances, believes that any agricultural-use value as implemented by
10 the county assessor does not comply with the requirements of the
11 Agricultural Valuation Fairness Act, the Property Tax Administrator may
12 petition the Tax Commissioner, on or before April 1, for an order to
13 adjust the agricultural-use value to achieve compliance with the act. The
14 Tax Commissioner shall issue a written order to the Property Tax
15 Administrator no later than May 1.

16 (4) Upon receipt of a petition by either the county assessor or the
17 Property Tax Administrator under this section, the Tax Commissioner shall
18 set a date for hearing and shall give notice thereof to the county
19 assessor or Property Tax Administrator, as applicable. The hearing shall
20 be held at least five days following the mailing of such notice. At the
21 hearing, the county assessor, the Property Tax Administrator, or the
22 legal representative of the county assessor or Property Tax Administrator
23 may appear and show cause why the class or subclass of agricultural land
24 and horticultural land in the county should or should not be adjusted. At
25 the hearing, the Tax Commissioner may receive testimony from any
26 interested person. The Tax Commissioner's order may be appealed within
27 thirty days after the date of the order to the Tax Equalization and
28 Review Commission in accordance with section 77-5013.

29 (5) If, after the implementation of the orders described in
30 subsections (2) and (3) of this section, the Tax Commissioner finds that
31 the aggregate agricultural-use value of the entire class of agricultural

1 land and horticultural land is not seventy-five percent of the aggregate
2 actual value that the agricultural land and horticultural land has for
3 agricultural or horticultural purposes, the Tax Commissioner shall issue
4 an order to each county in the state to uniformly adjust the
5 agricultural-use values to comply with the requirements of section 7 of
6 this act.

7 (6) On or before June 5 of each year, the county assessor of any
8 county adjusted by an order of the Tax Commissioner shall recertify the
9 county abstract of assessment to the Property Tax Administrator. The
10 Property Tax Administrator shall audit the records of the county assessor
11 to determine whether the orders were implemented.

12 Sec. 9. The Tax Commissioner may adopt and promulgate rules and
13 regulations as necessary to carry out the Agricultural Valuation Fairness
14 Act.

15 Sec. 10. Section 19-2428, Reissue Revised Statutes of Nebraska, is
16 amended to read:

17 19-2428 (1) Whenever the governing body of a city of the first or
18 second class or village creates an improvement district as specified in
19 section 19-2427 which includes land adjacent to such city or village and
20 such adjacent land is within an agricultural use zone and is used
21 exclusively for agricultural use, the owners of record title of such
22 adjacent land may apply for a deferral from special assessments pursuant
23 to sections 19-2428 to 19-2431.

24 (2) For purposes of sections 19-2428 to 19-2431:

25 (a) Agricultural use means the use of land as described in section 3
26 of this act 77-1359, so that incidental use of the land for
27 nonagricultural or nonhorticultural purposes shall not disqualify the
28 land; and

29 (b) Agricultural use zone means designation of any land
30 predominantly for agricultural or horticultural use by any political
31 subdivision pursuant to sections 19-924 to 19-933, Chapter 14, article 4,

1 Chapter 15, article 9, Chapter 16, article 9, Chapter 17, article 10, or
2 Chapter 23, article 1. The primary objective of the agricultural use
3 zoning shall be to preserve and protect agricultural activities and the
4 potential for the agricultural, horticultural, or open use of land. Uses
5 to be allowed on such lands include primarily agricultural-related or
6 horticultural-related uses, and nonagricultural or nonhorticultural
7 industrial, commercial, or residential uses allowed on such lands shall
8 be restricted so that they do not conflict with or detract from this
9 objective.

10 Sec. 11. Section 46-294.03, Reissue Revised Statutes of Nebraska, is
11 amended to read:

12 46-294.03 For purposes of assessment pursuant to the Agricultural
13 Valuation Fairness Act ~~sections 77-1343 to 77-1363~~, neither the temporary
14 transfer or change of an appropriation nor any resulting land-use changes
15 on the land to which the appropriation was appurtenant prior to the
16 transfer or change shall cause the land to be reclassified to a lower
17 value use or the valuation of the land to be reduced, but the land may be
18 reclassified to a higher value use and its valuation may be increased if
19 a higher value use is made of the land while the temporary transfer or
20 change is in effect. Land from which an appropriation has been
21 permanently transferred shall be classified and valued for tax purposes
22 in accordance with the use of the land after the transfer.

23 Sec. 12. Section 76-710.04, Revised Statutes Cumulative Supplement,
24 2016, is amended to read:

25 76-710.04 (1) A condemner may not take property through the use of
26 eminent domain under sections 76-704 to 76-724 if the taking is primarily
27 for an economic development purpose.

28 (2) For purposes of this section, economic development purpose means
29 taking property for subsequent use by a commercial for-profit enterprise
30 or to increase tax revenue, tax base, employment, or general economic
31 conditions.

1 (3) This section does not affect the use of eminent domain for:

2 (a) Public projects or private projects that make all or a major
3 portion of the property available for use by the general public or for
4 use as a right-of-way, aqueduct, pipeline, transmission line, or similar
5 use;

6 (b) Removing harmful uses of property if such uses constitute an
7 immediate threat to public health and safety;

8 (c) Leasing property to a private person who occupies an incidental
9 part of public property or a public facility, such as a retail
10 establishment on the ground floor of a public building;

11 (d) Acquiring abandoned property;

12 (e) Clearing defective property title;

13 (f) Taking private property for use by a utility or railroad;

14 (g) Taking private property based upon a finding of blighted or
15 substandard conditions under the Community Development Law if the private
16 property is not agricultural land and ~~or~~ horticultural land as defined in
17 section 3 of this act 77-1359; and

18 (h) Taking private property for a transmission line to serve a
19 privately developed facility generating electricity using wind, solar,
20 biomass, or landfill gas. Nothing in this subdivision shall be construed
21 to grant the power of eminent domain to a private entity.

22 Sec. 13. Section 77-103.01, Reissue Revised Statutes of Nebraska, is
23 amended to read:

24 77-103.01 Class or subclass of real property means a group of
25 properties that share one or more characteristics typically common to all
26 the properties in the class or subclass, but are not typically found in
27 the properties outside the class or subclass. Class or subclass includes,
28 but is not limited to, the classifications of agricultural land and ~~or~~
29 horticultural land listed in section 5 of this act 77-1363, parcel use,
30 parcel type, location, geographic characteristics, zoning, city size,
31 parcel size, productivity group, and market characteristics appropriate

1 for the valuation of such land. A class or subclass based on market
2 characteristics shall be based on characteristics that affect the actual
3 value in a different manner than it affects the actual value of
4 properties not within the market characteristic class or subclass.

5 Sec. 14. Section 77-201, Revised Statutes Cumulative Supplement,
6 2016, is amended to read:

7 77-201 (1) Except as provided in subsections (2) and (3) ~~through (4)~~
8 of this section, all real property in this state, not expressly exempt
9 therefrom, shall be subject to taxation and shall be valued at its actual
10 value.

11 (2) Agricultural land and horticultural land as defined in section 3
12 of this act 77-1359 shall constitute a separate and distinct class of
13 property for purposes of property taxation, shall be subject to taxation,
14 unless expressly exempt from taxation, and shall be valued at ~~seventy-~~
15 ~~five percent of its agricultural-use actual value as provided in the~~
16 Agricultural Valuation Fairness Act.

17 ~~(3) Agricultural land and horticultural land actively devoted to~~
18 ~~agricultural or horticultural purposes which has value for purposes other~~
19 ~~than agricultural or horticultural uses and which meets the~~
20 ~~qualifications for special valuation under section 77-1344 shall~~
21 ~~constitute a separate and distinct class of property for purposes of~~
22 ~~property taxation, shall be subject to taxation, and shall be valued for~~
23 ~~taxation at seventy five percent of its special value as defined in~~
24 ~~section 77-1343.~~

25 (3) ~~(4)~~ Historically significant real property which meets the
26 qualifications for historic rehabilitation valuation under sections
27 77-1385 to 77-1394 shall be valued for taxation as provided in such
28 sections.

29 ~~(4)~~ ~~(5)~~ Tangible personal property, not including motor vehicles,
30 trailers, and semitrailers registered for operation on the highways of
31 this state, shall constitute a separate and distinct class of property

1 for purposes of property taxation, shall be subject to taxation, unless
2 expressly exempt from taxation, and shall be valued at its net book
3 value. Tangible personal property transferred as a gift or devise or as
4 part of a transaction which is not a purchase shall be subject to
5 taxation based upon the date the property was acquired by the previous
6 owner and at the previous owner's Nebraska adjusted basis. Tangible
7 personal property acquired as replacement property for converted property
8 shall be subject to taxation based upon the date the converted property
9 was acquired and at the Nebraska adjusted basis of the converted property
10 unless insurance proceeds are payable by reason of the conversion. For
11 purposes of this subsection, (a) converted property means tangible
12 personal property which is compulsorily or involuntarily converted as a
13 result of its destruction in whole or in part, theft, seizure,
14 requisition, or condemnation, or the threat or imminence thereof, and no
15 gain or loss is recognized for federal or state income tax purposes by
16 the holder of the property as a result of the conversion and (b)
17 replacement property means tangible personal property acquired within two
18 years after the close of the calendar year in which tangible personal
19 property was converted and which is, except for date of construction or
20 manufacture, substantially the same as the converted property.

21 Sec. 15. Section 77-1116, Revised Statutes Cumulative Supplement,
22 2016, is amended to read:

23 77-1116 (1) A qualified community development entity that seeks to
24 have an equity investment or long-term debt security designated as a
25 qualified equity investment and eligible for tax credits under the New
26 Markets Job Growth Investment Act shall apply to the Tax Commissioner.
27 There shall be no new applications for such designation filed under this
28 section after June 30, 2017 ~~December 31, 2022~~.

29 (2) The qualified community development entity shall submit an
30 application on a form that the Tax Commissioner provides that includes:

31 (a) Evidence of the entity's certification as a qualified community

1 development entity, including evidence of the service area of the entity
2 that includes this state;

3 (b) A copy of the allocation agreement executed by the entity, or
4 its controlling entity, and the Community Development Financial
5 Institutions Fund referred to in section 77-1109;

6 (c) A certificate executed by an executive officer of the entity
7 attesting that the allocation agreement remains in effect and has not
8 been revoked or canceled by the Community Development Financial
9 Institutions Fund referred to in section 77-1109;

10 (d) A description of the proposed amount, structure, and purchaser
11 of the equity investment or long-term debt security;

12 (e) Identifying information for any taxpayer eligible to utilize tax
13 credits earned as a result of the issuance of the qualified equity
14 investment;

15 (f) Information regarding the proposed use of proceeds from the
16 issuance of the qualified equity investment; and

17 (g) A nonrefundable application fee of five thousand dollars.

18 (3) Within thirty days after receipt of a completed application
19 containing the information necessary for the Tax Commissioner to certify
20 a potential qualified equity investment, including the payment of the
21 application fee, the Tax Commissioner shall grant or deny the application
22 in full or in part. If the Tax Commissioner denies any part of the
23 application, the Tax Commissioner shall inform the qualified community
24 development entity of the grounds for the denial. If the qualified
25 community development entity provides any additional information required
26 by the Tax Commissioner or otherwise completes its application within
27 fifteen days after the notice of denial, the application shall be
28 considered completed as of the original date of submission. If the
29 qualified community development entity fails to provide the information
30 or complete its application within the fifteen-day period, the
31 application remains denied and must be resubmitted in full with a new

1 submission date.

2 (4) If the application is deemed complete, the Tax Commissioner
3 shall certify the proposed equity investment or long-term debt security
4 as a qualified equity investment that is eligible for tax credits,
5 subject to the limitations contained in section 77-1115. The Tax
6 Commissioner shall provide written notice of the certification to the
7 qualified community development entity. The notice shall include the
8 names of those taxpayers who are eligible to utilize the credits and
9 their respective credit amounts. If the names of the taxpayers who are
10 eligible to utilize the credits change due to a transfer of a qualified
11 equity investment or a change in an allocation pursuant to section
12 77-1114, the qualified community development entity shall notify the Tax
13 Commissioner of such change.

14 (5) The Tax Commissioner shall certify qualified equity investments
15 in the order applications are received. Applications received on the same
16 day shall be deemed to have been received simultaneously. For
17 applications received on the same day and deemed complete, the Tax
18 Commissioner shall certify, consistent with remaining tax credit
19 capacity, qualified equity investments in proportionate percentages based
20 upon the ratio of the amount of qualified equity investment requested in
21 an application to the total amount of qualified equity investments
22 requested in all applications received on the same day.

23 (6) Once the Tax Commissioner has certified qualified equity
24 investments that, on a cumulative basis, are eligible for the maximum
25 limitation contained in section 77-1115, the Tax Commissioner may not
26 certify any more qualified equity investments for that fiscal year. If a
27 pending request cannot be fully certified, the Tax Commissioner shall
28 certify the portion that may be certified unless the qualified community
29 development entity elects to withdraw its request rather than receive
30 partial credit.

31 (7) Within thirty days after receiving notice of certification, the

1 qualified community development entity shall issue the qualified equity
2 investment and receive cash in the amount of the certified amount. The
3 qualified community development entity shall provide the Tax Commissioner
4 with evidence of the receipt of the cash investment within ten business
5 days after receipt. If the qualified community development entity does
6 not receive the cash investment and issue the qualified equity investment
7 within thirty days after receipt of the certification notice, the
8 certification shall lapse and the entity may not issue the qualified
9 equity investment without reapplying to the Tax Commissioner for
10 certification. A certification that lapses reverts back to the Tax
11 Commissioner and may be reissued only in accordance with the application
12 process outlined in this section.

13 Sec. 16. Section 77-1327, Revised Statutes Cumulative Supplement,
14 2016, is amended to read:

15 77-1327 (1) It is the intent of the Legislature that accurate and
16 comprehensive information be developed by the Property Tax Administrator
17 and made accessible to the taxing officials and property owners in order
18 to ensure the uniformity and proportionality of the assessments of real
19 property valuations in the state in accordance with law and to provide
20 the statistical and narrative reports pursuant to section 77-5027.

21 (2) All transactions of real property for which the statement
22 required in section 76-214 is filed shall be available for development of
23 a sales file by the Property Tax Administrator. All transactions with
24 stated consideration of more than one hundred dollars or upon which more
25 than two dollars and twenty-five cents in documentary stamp taxes are
26 paid shall be considered sales. All sales shall be deemed to be arm's
27 length transactions unless determined to be otherwise under
28 professionally accepted mass appraisal techniques. The Department of
29 Revenue shall not overturn a determination made by a county assessor
30 regarding the qualification of a sale unless the department reviews the
31 sale and determines through the review that the determination made by the

1 county assessor is incorrect.

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

19 ~~(4) For purposes of determining the level of value of agricultural~~
20 ~~and horticultural land subject to special valuation under sections~~
21 ~~77-1343 to 77-1347.01, the Property Tax Administrator shall annually make~~
22 ~~and issue a comprehensive study developed in compliance with~~
23 ~~professionally accepted mass appraisal techniques to establish the level~~
24 ~~of value if in his or her opinion the level of value cannot be developed~~
25 ~~through the use of the comprehensive assessment ratio studies developed~~
26 ~~in subsection (3) of this section.~~

27 (4) ~~(5)~~ County assessors and other taxing officials shall
28 electronically report data on the assessed valuation and other features
29 of the property assessment process for such periods and in such form and
30 content as the Property Tax Administrator shall deem appropriate. The
31 Property Tax Administrator shall so construct and maintain the system

1 used to collect and analyze the data to enable him or her to make
2 intracounty comparisons of assessed valuation, including school districts
3 and other political subdivisions, as well as intercounty comparisons of
4 assessed valuation, including school districts and other political
5 subdivisions. The Property Tax Administrator shall include analysis of
6 real property sales pursuant to land contracts and similar transfers at
7 the time of execution of the contract or similar transfer.

8 Sec. 17. Section 77-1371, Revised Statutes Cumulative Supplement,
9 2016, is amended to read:

10 77-1371 Comparable sales are recent sales of properties that are
11 similar to the property being assessed in significant physical,
12 functional, and location characteristics and in their contribution to
13 value. When using comparable sales in determining actual value of an
14 individual property under the sales comparison approach provided in
15 section 77-112, the following guidelines shall be considered in
16 determining what constitutes a comparable sale:

17 (1) Whether the sale was financed by the seller and included any
18 special financing considerations or the value of improvements;

19 (2) Whether zoning affected the sale price of the property;

20 (3) For sales of agricultural land and ~~or~~ horticultural land as
21 defined in section 3 of this act ~~77-1359~~, whether a premium was paid to
22 acquire property. A premium may be paid when proximity or tax
23 consequences cause the buyer to pay more than actual value for
24 agricultural land and ~~or~~ horticultural land;

25 (4) Whether sales or transfers made in connection with foreclosure,
26 bankruptcy, or condemnations, in lieu of foreclosure, or in consideration
27 of other legal actions should be excluded from comparable sales analysis
28 as not reflecting current market value;

29 (5) Whether sales between family members within the third degree of
30 consanguinity include considerations that fail to reflect current market
31 value;

1 (6) Whether sales to or from federal or state agencies or local
2 political subdivisions reflect current market value;

3 (7) Whether sales of undivided interests in real property or parcels
4 less than forty acres or sales conveying only a portion of the unit
5 assessed reflect current market value;

6 (8) Whether sales or transfers of property in exchange for other
7 real estate, stocks, bonds, or other personal property reflect current
8 market value;

9 (9) Whether deeds recorded for transfers of convenience, transfers
10 of title to cemetery lots, mineral rights, and rights of easement reflect
11 current market value;

12 (10) Whether sales or transfers of property involving railroads or
13 other public utility corporations reflect current market value;

14 (11) Whether sales of property substantially improved subsequent to
15 assessment and prior to sale should be adjusted to reflect current market
16 value or eliminated from such analysis; and

17 ~~(12) For agricultural land or horticultural land as defined in~~
18 ~~section 77-1359 which is or has been receiving the special valuation~~
19 ~~pursuant to sections 77-1343 to 77-1347.01, whether the sale price~~
20 ~~reflects a value which the land has for purposes or uses other than as~~
21 ~~agricultural land or horticultural land and therefor does not reflect~~
22 ~~current market value of other agricultural land or horticultural land;~~

23 (12) ~~(13)~~ Whether sales or transfers of property are in a similar
24 market area and have similar characteristics to the property being
25 assessed. ~~;~~ and

26 ~~(14) For agricultural land and horticultural land as defined in~~
27 ~~section 77-1359 which is within a class or subclass of irrigated cropland~~
28 ~~pursuant to section 77-1363, whether the difference in well capacity or~~
29 ~~in water availability due to federal, state, or local regulatory actions~~
30 ~~or limited source affected the sale price of the property. If data on~~
31 ~~current well capacity or current water availability is not available from~~

1 ~~a federal, state, or local government entity, this subdivision shall not~~
2 ~~be used to determine what constitutes a comparable sale.~~

3 The Property Tax Administrator may issue guidelines for assessing
4 officials for use in determining what constitutes a comparable sale.
5 Guidelines shall take into account the factors listed in this section and
6 other relevant factors as prescribed by the Property Tax Administrator.

7 Sec. 18. Section 77-1502, Revised Statutes Cumulative Supplement,
8 2016, is amended to read:

9 77-1502 (1) The county board of equalization shall meet for the
10 purpose of reviewing and deciding written protests filed pursuant to this
11 section beginning on or after June 1 and ending on or before July 25 of
12 each year. Protests regarding real property shall be signed and filed
13 after the county assessor's completion of the real property assessment
14 roll required by section 77-1315 and on or before June 30. For protests
15 of real property, a protest shall be filed for each parcel. Protests
16 regarding taxable tangible personal property returns filed pursuant to
17 section 77-1229 from January 1 through May 1 shall be signed and filed on
18 or before June 30. The county board in a county with a population of more
19 than one hundred thousand inhabitants based upon the most recent federal
20 decennial census may adopt a resolution to extend the deadline for
21 hearing protests from July 25 to August 10. The resolution must be
22 adopted before July 25 and it will affect the time for hearing protests
23 for that year only. By adopting such resolution, such county waives any
24 right to petition the Tax Equalization and Review Commission for
25 adjustment of a class or subclass of real property under section
26 77-1504.01 for that year.

27 (2) Each protest shall be signed and filed with the county clerk of
28 the county where the property is assessed. The protest shall contain or
29 have attached a statement of the reason or reasons why the requested
30 change should be made and a description of the property to which the
31 protest applies. If the property is real property, a description adequate

1 to identify each parcel shall be provided. If the property is tangible
2 personal property, a physical description of the property under protest
3 shall be provided. If the protest does not contain or have attached the
4 statement of the reason or reasons for the protest or the applicable
5 description of the property, the protest shall be dismissed by the county
6 board of equalization.

7 (3) Beginning January 1, 2014, in counties with a population of at
8 least one hundred fifty thousand inhabitants according to the most recent
9 federal decennial census, for a protest regarding real property, each
10 protester shall be afforded the opportunity to meet in person with the
11 county board of equalization or a referee appointed under section
12 77-1502.01 to provide information relevant to the protested property
13 value.

14 (4) No hearing of the county board of equalization on a protest
15 filed under this section shall be held before a single commissioner or
16 supervisor.

17 (5) For agricultural land and horticultural land, the county board
18 of equalization may correct errors in those characteristics affecting the
19 income-producing capability of such land or may correct the resulting
20 value of such land. Protests of such characteristics or values shall be
21 made on a form prescribed by the Tax Commissioner.

22 (6) ~~(5)~~ The county clerk or county assessor shall prepare a separate
23 report on each protest. The report shall include (a) a description
24 adequate to identify the real property or a physical description of the
25 tangible personal property to which the protest applies, (b) any
26 recommendation of the county assessor for action on the protest, (c) if a
27 referee is used, the recommendation of the referee, (d) the date the
28 county board of equalization heard the protest, (e) the decision made by
29 the county board of equalization, (f) the date of the decision, and (g)
30 the date notice of the decision was mailed to the protester. The report
31 shall contain, or have attached to it, a statement, signed by the

1 chairperson of the county board of equalization, describing the basis
2 upon which the board's decision was made. The report shall have attached
3 to it a copy of that portion of the property record file which
4 substantiates calculation of the protested value unless the county
5 assessor certifies to the county board of equalization that a copy is
6 maintained in either electronic or paper form in his or her office. One
7 copy of the report, if prepared by the county clerk, shall be given to
8 the county assessor on or before August 2. The county assessor shall have
9 no authority to make a change in the assessment rolls until there is in
10 his or her possession a report which has been completed in the manner
11 specified in this section. If the county assessor deems a report
12 submitted by the county clerk incomplete, the county assessor shall
13 return the same to the county clerk for proper preparation.

14 (7) ~~(6)~~ On or before August 2, or on or before August 18 in a county
15 that has adopted a resolution to extend the deadline for hearing
16 protests, the county clerk shall mail to the protester written notice of
17 the board's decision. The notice shall contain a statement advising the
18 protester that a report of the board's decision is available at the
19 county clerk's or county assessor's office, whichever is appropriate.

20 Sec. 19. Section 77-1507.01, Reissue Revised Statutes of Nebraska,
21 is amended to read:

22 77-1507.01 Any person otherwise having a right to appeal may
23 petition the Tax Equalization and Review Commission in accordance with
24 section 77-5013, on or before December 31 of each year, to determine the
25 actual value or agricultural-use ~~special~~ value of real property for that
26 year if a failure to give notice prevented timely filing of a protest or
27 appeal provided for in sections 77-1501 to 77-1510.

28 Sec. 20. Section 77-2715.09, Reissue Revised Statutes of Nebraska,
29 is amended to read:

30 77-2715.09 (1) Subject to subsection (4) of this section, every
31 ~~Every~~ resident individual may elect under this section to subtract from

1 federal adjusted gross income, or for trusts qualifying under subdivision
2 (2)(c) of this section from taxable income, the extraordinary dividends
3 paid on and the capital gain from the sale or exchange of capital stock
4 of a corporation acquired by the individual (a) on account of employment
5 by such corporation or (b) while employed by such corporation.

6 (2)(a) Each individual shall be entitled to one election under
7 subsection (1) of this section during his or her lifetime for the capital
8 stock of one corporation.

9 (b) The election shall apply to subsequent extraordinary dividends
10 paid and sales and exchanges in any taxable year if the dividend is
11 received on, or the sale or exchange is of, capital stock in the same
12 corporation and such capital stock was acquired as provided in subsection
13 (1) of this section.

14 (c) After the individual makes an election, such election shall
15 apply to extraordinary dividends paid on, and the sale or exchange of,
16 capital stock of the corporation transferred by inter vivos gift from the
17 individual to his or her spouse or issue or a trust for the benefit of
18 the individual's spouse or issue if such capital stock was acquired as
19 provided in subsection (1) of this section. This subdivision shall apply,
20 in the case of the spouse, only if the spouse was married to such
21 individual on the date of the extraordinary dividend or sale or exchange
22 or the date of death of the individual.

23 (d) If the individual dies without making an election, the surviving
24 spouse or, if there is no surviving spouse, the oldest surviving issue
25 may make the election for capital stock that would have qualified under
26 subdivision (c) of this subsection.

27 (3) An election under subsection (1) of this section shall be made
28 by including a written statement with the taxpayer's Nebraska income tax
29 return or an amended return for the taxable year for which the election
30 is made. The written statement shall identify the corporation that issued
31 the stock and the grounds for the election under this section and shall

1 state that the taxpayer elects to have this section apply.

2 (4) The subtractions for extraordinary dividends and capital gains
3 authorized in this section shall not be allowed for taxable years
4 beginning or deemed to begin on or after January 1, 2017, under the
5 Internal Revenue Code of 1986, as amended.

6 Sec. 21. Section 77-2716, Revised Statutes Cumulative Supplement,
7 2016, is amended to read:

8 77-2716 (1) The following adjustments to federal adjusted gross
9 income or, for corporations and fiduciaries, federal taxable income shall
10 be made for interest or dividends received:

11 (a)(i) There shall be subtracted interest or dividends received by
12 the owner of obligations of the United States and its territories and
13 possessions or of any authority, commission, or instrumentality of the
14 United States to the extent includable in gross income for federal income
15 tax purposes but exempt from state income taxes under the laws of the
16 United States; and

17 (ii) There shall be subtracted interest received by the owner of
18 obligations of the State of Nebraska or its political subdivisions or
19 authorities which are Build America Bonds to the extent includable in
20 gross income for federal income tax purposes;

21 (b) There shall be subtracted that portion of the total dividends
22 and other income received from a regulated investment company which is
23 attributable to obligations described in subdivision (a) of this
24 subsection as reported to the recipient by the regulated investment
25 company;

26 (c) There shall be added interest or dividends received by the owner
27 of obligations of the District of Columbia, other states of the United
28 States, or their political subdivisions, authorities, commissions, or
29 instrumentalities to the extent excluded in the computation of gross
30 income for federal income tax purposes except that such interest or
31 dividends shall not be added if received by a corporation which is a

1 regulated investment company;

2 (d) There shall be added that portion of the total dividends and
3 other income received from a regulated investment company which is
4 attributable to obligations described in subdivision (c) of this
5 subsection and excluded for federal income tax purposes as reported to
6 the recipient by the regulated investment company; and

7 (e)(i) Any amount subtracted under this subsection shall be reduced
8 by any interest on indebtedness incurred to carry the obligations or
9 securities described in this subsection or the investment in the
10 regulated investment company and by any expenses incurred in the
11 production of interest or dividend income described in this subsection to
12 the extent that such expenses, including amortizable bond premiums, are
13 deductible in determining federal taxable income.

14 (ii) Any amount added under this subsection shall be reduced by any
15 expenses incurred in the production of such income to the extent
16 disallowed in the computation of federal taxable income.

17 (2) There shall be allowed a net operating loss derived from or
18 connected with Nebraska sources computed under rules and regulations
19 adopted and promulgated by the Tax Commissioner consistent, to the extent
20 possible under the Nebraska Revenue Act of 1967, with the laws of the
21 United States. For a resident individual, estate, or trust, the net
22 operating loss computed on the federal income tax return shall be
23 adjusted by the modifications contained in this section. For a
24 nonresident individual, estate, or trust or for a partial-year resident
25 individual, the net operating loss computed on the federal return shall
26 be adjusted by the modifications contained in this section and any
27 carryovers or carrybacks shall be limited to the portion of the loss
28 derived from or connected with Nebraska sources.

29 (3) There shall be subtracted from federal adjusted gross income for
30 all taxable years beginning on or after January 1, 1987, the amount of
31 any state income tax refund to the extent such refund was deducted under

1 the Internal Revenue Code, was not allowed in the computation of the tax
2 due under the Nebraska Revenue Act of 1967, and is included in federal
3 adjusted gross income.

4 (4) For taxable years beginning or deemed to begin before January 1,
5 2017, under the Internal Revenue Code of 1986, as amended, federal
6 ~~Federal~~ adjusted gross income, or, for a fiduciary, federal taxable
7 income shall be modified to exclude the portion of the income or loss
8 received from a small business corporation with an election in effect
9 under subchapter S of the Internal Revenue Code or from a limited
10 liability company organized pursuant to the Nebraska Uniform Limited
11 Liability Company Act that is not derived from or connected with Nebraska
12 sources as determined in section 77-2734.01.

13 (5) There shall be subtracted from federal adjusted gross income or,
14 for corporations and fiduciaries, federal taxable income dividends
15 received or deemed to be received from corporations which are not subject
16 to the Internal Revenue Code.

17 (6) There shall be subtracted from federal taxable income a portion
18 of the income earned by a corporation subject to the Internal Revenue
19 Code of 1986 that is actually taxed by a foreign country or one of its
20 political subdivisions at a rate in excess of the maximum federal tax
21 rate for corporations. The taxpayer may make the computation for each
22 foreign country or for groups of foreign countries. The portion of the
23 taxes that may be deducted shall be computed in the following manner:

24 (a) The amount of federal taxable income from operations within a
25 foreign taxing jurisdiction shall be reduced by the amount of taxes
26 actually paid to the foreign jurisdiction that are not deductible solely
27 because the foreign tax credit was elected on the federal income tax
28 return;

29 (b) The amount of after-tax income shall be divided by one minus the
30 maximum tax rate for corporations in the Internal Revenue Code; and

31 (c) The result of the calculation in subdivision (b) of this

1 subsection shall be subtracted from the amount of federal taxable income
2 used in subdivision (a) of this subsection. The result of such
3 calculation, if greater than zero, shall be subtracted from federal
4 taxable income.

5 (7) Federal adjusted gross income shall be modified to exclude any
6 amount repaid by the taxpayer for which a reduction in federal tax is
7 allowed under section 1341(a)(5) of the Internal Revenue Code.

8 (8)(a) Federal adjusted gross income or, for corporations and
9 fiduciaries, federal taxable income shall be reduced, to the extent
10 included, by income from interest, earnings, and state contributions
11 received from the Nebraska educational savings plan trust created in
12 sections 85-1801 to 85-1814 and any account established under the
13 achieving a better life experience program as provided in sections
14 77-1401 to 77-1409.

15 (b) Federal adjusted gross income or, for corporations and
16 fiduciaries, federal taxable income shall be reduced by any contributions
17 as a participant in the Nebraska educational savings plan trust or
18 contributions to an account established under the achieving a better life
19 experience program made for the benefit of a beneficiary as provided in
20 sections 77-1401 to 77-1409, to the extent not deducted for federal
21 income tax purposes, but not to exceed five thousand dollars per married
22 filing separate return or ten thousand dollars for any other return. With
23 respect to a qualified rollover within the meaning of section 529 of the
24 Internal Revenue Code from another state's plan, any interest, earnings,
25 and state contributions received from the other state's educational
26 savings plan which is qualified under section 529 of the code shall
27 qualify for the reduction provided in this subdivision. For contributions
28 by a custodian of a custodial account including rollovers from another
29 custodial account, the reduction shall only apply to funds added to the
30 custodial account after January 1, 2014.

31 (c) Federal adjusted gross income or, for corporations and

1 fiduciaries, federal taxable income shall be increased by:

2 (i) The amount resulting from the cancellation of a participation
3 agreement refunded to the taxpayer as a participant in the Nebraska
4 educational savings plan trust to the extent previously deducted under
5 subdivision (8)(b) of this section; and

6 (ii) The amount of any withdrawals by the owner of an account
7 established under the achieving a better life experience program as
8 provided in sections 77-1401 to 77-1409 for nonqualified expenses to the
9 extent previously deducted under subdivision (8)(b) of this section.

10 (9)(a) For income tax returns filed after September 10, 2001, for
11 taxable years beginning or deemed to begin before January 1, 2006, under
12 the Internal Revenue Code of 1986, as amended, federal adjusted gross
13 income or, for corporations and fiduciaries, federal taxable income shall
14 be increased by eighty-five percent of any amount of any federal bonus
15 depreciation received under the federal Job Creation and Worker
16 Assistance Act of 2002 or the federal Jobs and Growth Tax Act of 2003,
17 under section 168(k) or section 1400L of the Internal Revenue Code of
18 1986, as amended, for assets placed in service after September 10, 2001,
19 and before December 31, 2005.

20 (b) For a partnership, limited liability company, cooperative,
21 including any cooperative exempt from income taxes under section 521 of
22 the Internal Revenue Code of 1986, as amended, limited cooperative
23 association, subchapter S corporation, or joint venture, the increase
24 shall be distributed to the partners, members, shareholders, patrons, or
25 beneficiaries in the same manner as income is distributed for use against
26 their income tax liabilities.

27 (c) For a corporation with a unitary business having activity both
28 inside and outside the state, the increase shall be apportioned to
29 Nebraska in the same manner as income is apportioned to the state by
30 section 77-2734.05.

31 (d) The amount of bonus depreciation added to federal adjusted gross

1 income or, for corporations and fiduciaries, federal taxable income by
2 this subsection shall be subtracted in a later taxable year. Twenty
3 percent of the total amount of bonus depreciation added back by this
4 subsection for tax years beginning or deemed to begin before January 1,
5 2003, under the Internal Revenue Code of 1986, as amended, may be
6 subtracted in the first taxable year beginning or deemed to begin on or
7 after January 1, 2005, under the Internal Revenue Code of 1986, as
8 amended, and twenty percent in each of the next four following taxable
9 years. Twenty percent of the total amount of bonus depreciation added
10 back by this subsection for tax years beginning or deemed to begin on or
11 after January 1, 2003, may be subtracted in the first taxable year
12 beginning or deemed to begin on or after January 1, 2006, under the
13 Internal Revenue Code of 1986, as amended, and twenty percent in each of
14 the next four following taxable years.

15 (10) For taxable years beginning or deemed to begin on or after
16 January 1, 2003, and before January 1, 2006, under the Internal Revenue
17 Code of 1986, as amended, federal adjusted gross income or, for
18 corporations and fiduciaries, federal taxable income shall be increased
19 by the amount of any capital investment that is expensed under section
20 179 of the Internal Revenue Code of 1986, as amended, that is in excess
21 of twenty-five thousand dollars that is allowed under the federal Jobs
22 and Growth Tax Act of 2003. Twenty percent of the total amount of
23 expensing added back by this subsection for tax years beginning or deemed
24 to begin on or after January 1, 2003, may be subtracted in the first
25 taxable year beginning or deemed to begin on or after January 1, 2006,
26 under the Internal Revenue Code of 1986, as amended, and twenty percent
27 in each of the next four following tax years.

28 (11)(a) For taxable years beginning or deemed to begin before
29 January 1, 2018, under the Internal Revenue Code of 1986, as amended,
30 federal adjusted gross income shall be reduced by contributions, up to
31 two thousand dollars per married filing jointly return or one thousand

1 dollars for any other return, and any investment earnings made as a
2 participant in the Nebraska long-term care savings plan under the Long-
3 Term Care Savings Plan Act, to the extent not deducted for federal income
4 tax purposes.

5 (b) For taxable years beginning or deemed to begin before January 1,
6 2018, under the Internal Revenue Code of 1986, as amended, federal
7 adjusted gross income shall be increased by the withdrawals made as a
8 participant in the Nebraska long-term care savings plan under the act by
9 a person who is not a qualified individual or for any reason other than
10 transfer of funds to a spouse, long-term care expenses, long-term care
11 insurance premiums, or death of the participant, including withdrawals
12 made by reason of cancellation of the participation agreement, to the
13 extent previously deducted as a contribution or as investment earnings.

14 (12) There shall be added to federal adjusted gross income for
15 individuals, estates, and trusts any amount taken as a credit for
16 franchise tax paid by a financial institution under sections 77-3801 to
17 77-3807 as allowed by subsection (5) of section 77-2715.07.

18 (13) For taxable years beginning or deemed to begin on or after
19 January 1, 2015, under the Internal Revenue Code of 1986, as amended,
20 federal adjusted gross income shall be reduced by the amount received as
21 benefits under the federal Social Security Act which are included in the
22 federal adjusted gross income if:

23 (a) For taxpayers filing a married filing joint return, federal
24 adjusted gross income is fifty-eight thousand dollars or less; or

25 (b) For taxpayers filing any other return, federal adjusted gross
26 income is forty-three thousand dollars or less.

27 (14) For taxable years beginning or deemed to begin on or after
28 January 1, 2015, under the Internal Revenue Code of 1986, as amended, an
29 individual may make a one-time election within two calendar years after
30 the date of his or her retirement from the military to exclude income
31 received as a military retirement benefit by the individual to the extent

1 included in federal adjusted gross income and as provided in this
2 subsection. The individual may elect to exclude forty percent of his or
3 her military retirement benefit income for seven consecutive taxable
4 years beginning with the year in which the election is made or may elect
5 to exclude fifteen percent of his or her military retirement benefit
6 income for all taxable years beginning with the year in which he or she
7 turns sixty-seven years of age. For purposes of this subsection, military
8 retirement benefit means retirement benefits that are periodic payments
9 attributable to service in the uniformed services of the United States
10 for personal services performed by an individual prior to his or her
11 retirement.

12 Sec. 22. Section 77-2734.01, Revised Statutes Cumulative Supplement,
13 2016, is amended to read:

14 77-2734.01 (1)(a) For taxable years beginning or deemed to begin
15 before January 1, 2017, under the Internal Revenue Code of 1986, as
16 amended, residents ~~(1) Residents~~ of Nebraska who are shareholders of a
17 small business corporation having an election in effect under subchapter
18 S of the Internal Revenue Code or who are members of a limited liability
19 company organized pursuant to the Nebraska Uniform Limited Liability
20 Company Act shall include in their Nebraska taxable income, to the extent
21 includable in federal gross income, their proportionate share of such
22 corporation's or limited liability company's federal income adjusted
23 pursuant to this section. Income or loss from such corporation or limited
24 liability company conducting a business, trade, profession, or occupation
25 shall be included in the Nebraska taxable income of a shareholder or
26 member who is a resident of this state to the extent of such
27 shareholder's or member's proportionate share of the net income or loss
28 from the conduct of such business, trade, profession, or occupation
29 within this state, determined under subsection (2) of this section.

30 (b) For taxable years beginning or deemed to begin on or after
31 January 1, 2017, under the Internal Revenue Code of 1986, as amended,

1 residents of Nebraska who are shareholders of a small business
2 corporation having an election in effect under subchapter S of the
3 Internal Revenue Code or who are members of a limited liability company
4 organized pursuant to the Nebraska Uniform Limited Liability Company Act
5 shall include in their Nebraska taxable income, to the extent includable
6 in federal gross income, their proportionate share of such corporation's
7 or limited liability company's federal income without any adjustments
8 pursuant to this section.

9 (c) For all taxable years, a A resident of Nebraska shall include in
10 Nebraska taxable income fair compensation for services rendered to such
11 corporation or limited liability company. Compensation actually paid
12 shall be presumed to be fair unless it is apparent to the Tax
13 Commissioner that such compensation is materially different from fair
14 value for the services rendered or has been manipulated for tax avoidance
15 purposes.

16 (2) The income of any small business corporation having an election
17 in effect under subchapter S of the Internal Revenue Code or limited
18 liability company organized pursuant to the Nebraska Uniform Limited
19 Liability Company Act that is derived from or connected with Nebraska
20 sources shall be determined in the following manner:

21 (a) If the small business corporation is a member of a unitary
22 group, the small business corporation shall be deemed to be doing
23 business within this state if any part of its income is derived from
24 transactions with other members of the unitary group doing business
25 within this state, and such corporation shall apportion its income by
26 using the apportionment factor determined for the entire unitary group,
27 including the small business corporation, under sections 77-2734.05 to
28 77-2734.15;

29 (b) If the small business corporation or limited liability company
30 is not a member of a unitary group and is subject to tax in another
31 state, it shall apportion its income under sections 77-2734.05 to

1 77-2734.15; and

2 (c) If the small business corporation or limited liability company
3 is not subject to tax in another state, all of its income is derived from
4 or connected with Nebraska sources.

5 (3) Nonresidents of Nebraska who are shareholders of such
6 corporations or members of such limited liability companies shall file a
7 Nebraska income tax return and shall include in Nebraska adjusted gross
8 income their proportionate share of the corporation's or limited
9 liability company's Nebraska income as determined under subsection (2) of
10 this section.

11 (4) The nonresident shareholder or member shall execute and forward
12 to the corporation or limited liability company before the filing of the
13 corporation's or limited liability company's return an agreement which
14 states he or she will file a Nebraska income tax return and pay the tax
15 on the income derived from or connected with sources in this state, and
16 such agreement shall be attached to the corporation's or limited
17 liability company's Nebraska return for such taxable year.

18 (5) For taxable years beginning or deemed to begin before January 1,
19 2013, in the absence of the nonresident shareholder's or member's
20 executed agreement being attached to the Nebraska return, the corporation
21 or limited liability company shall remit with the return an amount equal
22 to the highest individual income tax rate determined under section
23 77-2715.02 multiplied by the nonresident shareholder's or member's share
24 of the corporation's or limited liability company's income which was
25 derived from or attributable to this state. For taxable years beginning
26 or deemed to begin on or after January 1, 2013, in the absence of the
27 nonresident shareholder's or member's executed agreement being attached
28 to the Nebraska return, the corporation or limited liability company
29 shall remit with the return an amount equal to the highest individual
30 income tax rate determined under section 77-2715.03 multiplied by the
31 nonresident shareholder's or member's share of the corporation's or

1 limited liability company's income which was derived from or attributable
2 to this state. The amount remitted shall be allowed as a credit against
3 the Nebraska income tax liability of the shareholder or member.

4 (6) The Tax Commissioner may allow a nonresident individual
5 shareholder or member to not file a Nebraska income tax return if the
6 nonresident individual shareholder's or member's only source of Nebraska
7 income was his or her share of the small business corporation's or
8 limited liability company's income which was derived from or attributable
9 to sources within this state, the nonresident did not file an agreement
10 to file a Nebraska income tax return, and the small business corporation
11 or limited liability company has remitted the amount required by
12 subsection (5) of this section on behalf of such nonresident individual
13 shareholder or member. The amount remitted shall be retained in
14 satisfaction of the Nebraska income tax liability of the nonresident
15 individual shareholder or member.

16 (7) A small business corporation or limited liability company return
17 shall be filed only if one or more of the shareholders of the corporation
18 or members of the limited liability company are not residents of the
19 State of Nebraska or, for taxable years beginning or deemed to begin
20 before January 1, 2017, if such corporation or limited liability company
21 has income derived from sources outside this state.

22 (8) For purposes of this section, any shareholder or member of the
23 corporation or limited liability company that is a grantor trust of a
24 nonresident shall be disregarded and this section shall apply as though
25 the nonresident grantor was the shareholder or member.

26 Sec. 23. Section 77-2912, Revised Statutes Cumulative Supplement,
27 2016, is amended to read:

28 77-2912 There shall be no new applications filed under the Nebraska
29 Job Creation and Mainstreet Revitalization Act after June 30, 2017
30 ~~December 31, 2022~~. All applications and all credits pending or approved
31 before such date shall continue in full force and effect, except that no

1 credits shall be allocated under section 77-2905, issued under section
2 77-2906, or used on any tax return or similar filing after December 31,
3 2027.

4 Sec. 24. Section 77-4212, Revised Statutes Cumulative Supplement,
5 2016, is amended to read:

6 77-4212 (1) For tax year 2007, the amount of relief granted under
7 the Property Tax Credit Act shall be one hundred five million dollars.
8 For tax year 2008, the amount of relief granted under the act shall be
9 one hundred fifteen million dollars. It is the intent of the Legislature
10 to fund the Property Tax Credit Act for tax years after tax year 2008
11 using available revenue. For tax year 2017, the amount of relief granted
12 under the act shall be two hundred twenty-four million dollars. The
13 relief shall be in the form of a property tax credit which appears on the
14 property tax statement.

15 (2)(a) For tax years prior to tax year 2017, to determine the amount
16 of the property tax credit, the county treasurer shall multiply the
17 amount disbursed to the county under subdivision (4)(a) of this section
18 by the ratio of the real property valuation of the parcel to the total
19 real property valuation in the county. The amount determined shall be the
20 property tax credit for the property.

21 (b) Beginning with tax year 2017, to determine the amount of the
22 property tax credit, the county treasurer shall multiply the amount
23 disbursed to the county under subdivision (4)(b) of this section by the
24 ratio of the credit allocation valuation of the parcel to the total
25 credit allocation valuation in the county. The amount determined shall be
26 the property tax credit for the property.

27 (3) If the real property owner qualifies for a homestead exemption
28 under sections 77-3501 to 77-3529, the owner shall also be qualified for
29 the relief provided in the act to the extent of any remaining liability
30 after calculation of the relief provided by the homestead exemption. If
31 the credit results in a property tax liability on the homestead that is

1 less than zero, the amount of the credit which cannot be used by the
2 taxpayer shall be returned to the State Treasurer by July 1 of the year
3 the amount disbursed to the county was disbursed. The State Treasurer
4 shall immediately credit any funds returned under this section to the
5 Property Tax Credit Cash Fund.

6 (4)(a) For tax years prior to tax year 2017, the amount disbursed to
7 each county shall be equal to the amount available for disbursement
8 determined under subsection (1) of this section multiplied by the ratio
9 of the real property valuation in the county to the real property
10 valuation in the state. By September 15, the Property Tax Administrator
11 shall determine the amount to be disbursed under this subdivision to each
12 county and certify such amounts to the State Treasurer and to each
13 county. The disbursements to the counties shall occur in two equal
14 payments, the first on or before January 31 and the second on or before
15 April 1. After retaining one percent of the receipts for costs, the
16 county treasurer shall allocate the remaining receipts to each taxing
17 unit levying taxes on taxable property in the tax district in which the
18 real property is located in the same proportion that the levy of such
19 taxing unit bears to the total levy on taxable property of all the taxing
20 units in the tax district in which the real property is located.

21 (b) Beginning with tax year 2017, the amount disbursed to each
22 county shall be equal to the amount available for disbursement determined
23 under subsection (1) of this section multiplied by the ratio of the
24 credit allocation valuation in the county to the credit allocation
25 valuation in the state. By September 15, the Property Tax Administrator
26 shall determine the amount to be disbursed under this subdivision to each
27 county and certify such amounts to the State Treasurer and to each
28 county. The disbursements to the counties shall occur in two equal
29 payments, the first on or before January 31 and the second on or before
30 April 1. After retaining one percent of the receipts for costs, the
31 county treasurer shall allocate the remaining receipts to each taxing

1 unit based on its share of the credits granted to all taxpayers in the
2 taxing unit.

3 (5) For purposes of this section, credit allocation valuation means
4 the taxable value for all real property except agricultural land and
5 horticultural land, and one hundred twenty percent of taxable value for
6 agricultural land and horticultural land ~~that is not subject to special~~
7 ~~valuation, and one hundred twenty percent of taxable value for~~
8 ~~agricultural land and horticultural land that is subject to special~~
9 ~~valuation.~~

10 (6) The State Treasurer shall transfer from the General Fund to the
11 Property Tax Credit Cash Fund one hundred five million dollars by August
12 1, 2007, and one hundred fifteen million dollars by August 1, 2008.

13 (7) The Legislature shall have the power to transfer funds from the
14 Property Tax Credit Cash Fund to the General Fund.

15 Sec. 25. Section 77-5007, Revised Statutes Cumulative Supplement,
16 2016, is amended to read:

17 77-5007 The commission has the power and duty to hear and determine
18 appeals of:

19 (1) Decisions of any county board of equalization equalizing the
20 value of individual tracts, lots, or parcels of real property so that all
21 real property is assessed uniformly and proportionately;

22 (2) Decisions of any county board of equalization granting or
23 denying tax-exempt status for real or personal property or an exemption
24 from motor vehicle taxes and fees;

25 (3) Decisions of the Tax Commissioner determining the taxable
26 property of a railroad company, car company, public service entity, or
27 air carrier within the state;

28 (4) Decisions of the Tax Commissioner determining adjusted valuation
29 pursuant to section 79-1016;

30 (5) Decisions of any county board of equalization on the valuation
31 of personal property or any penalties imposed under sections 77-1233.04

1 and 77-1233.06;

2 (6) Decisions of any county board of equalization on claims that a
3 levy is or is not for an unlawful or unnecessary purpose or in excess of
4 the requirements of the county;

5 (7) Decisions of any county board of equalization granting or
6 rejecting an application for a homestead exemption;

7 (8) Decisions of the Department of Motor Vehicles determining the
8 taxable value of motor vehicles pursuant to section 60-3,188;

9 (9) Decisions of the Tax Commissioner made under section 77-1330;

10 (10) Any other decision of any county board of equalization;

11 (11) Any other decision of the Tax Commissioner regarding property
12 valuation, exemption, or taxation;

13 (12) Decisions of the Tax Commissioner pursuant to section 77-3520;

14 (13) Final decisions of a county board of equalization appealed by
15 the Tax Commissioner or Property Tax Administrator pursuant to section
16 77-701;

17 (14) Determinations of the Rent-Restricted Housing Projects
18 Valuation Committee regarding the capitalization rate to be used to value
19 rent-restricted housing projects pursuant to section 77-1333 or the
20 requirement under such section that an income-approach calculation be
21 used by county assessors to value rent-restricted housing projects;

22 (15) The requirement under section 77-1314 that the income approach,
23 including the use of a discounted cash-flow analysis, be used by county
24 assessors; ~~and~~

25 (16) Decisions of the Tax Commissioner pursuant to section 8 of this
26 act; and

27 (17) ~~(16)~~ Any other decision, determination, action, or order from
28 which an appeal to the commission is authorized.

29 The commission has the power and duty to hear and grant or deny
30 relief on petitions.

31 Sec. 26. Section 77-5022, Revised Statutes Cumulative Supplement,

1 2016, is amended to read:

2 77-5022 The commission shall annually equalize the assessed value ~~or~~
3 ~~special value~~ of all residential and commercial real property as
4 submitted by the county assessors on the abstracts of assessments and
5 equalize the values of real property that is valued by the state. The
6 commission shall have the power to recess from time to time until the
7 equalization process is complete. Meetings held pursuant to this section
8 may be held by means of videoconference or telephone conference.

9 Sec. 27. Section 77-5023, Reissue Revised Statutes of Nebraska, is
10 amended to read:

11 77-5023 (1) Pursuant to section 77-5022, the commission shall have
12 the power to increase or decrease the value of a class or subclass of
13 residential or commercial real property in any county or taxing authority
14 or of real property valued by the state so that all classes or subclasses
15 of real property in all counties fall within an acceptable range.

16 (2) An acceptable range is the percentage of variation from a
17 standard for valuation as measured by an established indicator of central
18 tendency of assessment. The acceptable range ~~Acceptable ranges are: (a)~~
19 ~~For agricultural land and horticultural land as defined in section~~
20 ~~77-1359, sixty nine to seventy five percent of actual value; (b) for~~
21 ~~lands receiving special valuation, sixty nine to seventy five percent of~~
22 ~~special valuation as defined in section 77-1343; and (c) for all~~
23 residential and commercial ~~other~~ real property, is ninety-two to one
24 hundred percent of actual value.

25 (3) Any increase or decrease shall cause the level of value
26 determined by the commission to be at the midpoint of the ~~applicable~~
27 acceptable range.

28 (4) Any decrease or increase to a subclass of property shall also
29 cause the level of value determined by the commission for the class from
30 which the subclass is drawn to be within the ~~applicable~~ acceptable range.

31 (5) Whether or not the level of value determined by the commission

1 falls within the ~~an~~ acceptable range or at the midpoint of the ~~an~~
2 acceptable range may be determined to a reasonable degree of certainty
3 relying upon generally accepted mass appraisal techniques.

4 Sec. 28. Section 79-1016, Reissue Revised Statutes of Nebraska, is
5 amended to read:

6 79-1016 (1) On or before August 25, the county assessor shall
7 certify to the Property Tax Administrator the total taxable value by
8 school district in the county for the current assessment year on forms
9 prescribed by the Tax Commissioner. The county assessor may amend the
10 filing for changes made to the taxable valuation of the school district
11 in the county if corrections or errors on the original certification are
12 discovered. Amendments shall be certified to the Property Tax
13 Administrator on or before September 30.

14 (2) On or before October 10, the Property Tax Administrator shall
15 compute and certify to the State Department of Education the adjusted
16 valuation for the current assessment year for each class of property in
17 each school district and each local system. The adjusted valuation of
18 property for each school district and each local system, for purposes of
19 determining state aid pursuant to the Tax Equity and Educational
20 Opportunities Support Act, shall reflect as nearly as possible state aid
21 value as defined in subsection (3) of this section. The Property Tax
22 Administrator shall notify each school district and each local system of
23 its adjusted valuation for the current assessment year by class of
24 property on or before October 10. Establishment of the adjusted valuation
25 shall be based on the taxable value certified by the county assessor for
26 each school district in the county adjusted by the determination of the
27 level of value for each school district from an analysis of the
28 comprehensive assessment ratio study or other studies developed by the
29 Property Tax Administrator, in compliance with professionally accepted
30 mass appraisal techniques, as required by section 77-1327. The Tax
31 Commissioner shall adopt and promulgate rules and regulations setting

1 forth standards for the determination of level of value for state aid
2 purposes.

3 (3) For purposes of this section, state aid value means:

4 (a) For real property other than agricultural land and horticultural
5 land, ninety-six percent of actual value;

6 (b) For agricultural land and horticultural land, the agricultural-
7 use seventy-two percent of actual value as provided in the Agricultural
8 Valuation Fairness Act sections 77-1359 to 77-1363. For agricultural and
9 horticultural land that receives special valuation pursuant to section
10 77-1344, seventy-two percent of special valuation as defined in section
11 77-1343; and

12 (c) For personal property, the net book value as defined in section
13 77-120.

14 (4) On or before November 10, any local system may file with the Tax
15 Commissioner written objections to the adjusted valuations prepared by
16 the Property Tax Administrator, stating the reasons why such adjusted
17 valuations are not the valuations required by subsection (3) of this
18 section. The Tax Commissioner shall fix a time for a hearing. Either
19 party shall be permitted to introduce any evidence in reference thereto.
20 On or before January 1, the Tax Commissioner shall enter a written order
21 modifying or declining to modify, in whole or in part, the adjusted
22 valuations and shall certify the order to the State Department of
23 Education. Modification by the Tax Commissioner shall be based upon the
24 evidence introduced at hearing and shall not be limited to the
25 modification requested in the written objections or at hearing. A copy of
26 the written order shall be mailed to the local system within seven days
27 after the date of the order. The written order of the Tax Commissioner
28 may be appealed within thirty days after the date of the order to the Tax
29 Equalization and Review Commission in accordance with section 77-5013.

30 (5) On or before November 10, any local system or county official
31 may file with the Tax Commissioner a written request for a nonappealable

1 correction of the adjusted valuation due to clerical error as defined in
2 section 77-128 ~~or, for agricultural and horticultural land, assessed~~
3 ~~value changes by reason of land qualified or disqualified for special use~~
4 ~~valuation pursuant to sections 77-1343 to 77-1347.01.~~ On or before the
5 following January 1, the Tax Commissioner shall approve or deny the
6 request and, if approved, certify the corrected adjusted valuations
7 resulting from such action to the State Department of Education.

8 (6) On or before May 31 of the year following the certification of
9 adjusted valuation pursuant to subsection (2) of this section, any local
10 system or county official may file with the Tax Commissioner a written
11 request for a nonappealable correction of the adjusted valuation due to
12 changes to the tax list that change the assessed value of taxable
13 property. Upon the filing of the written request, the Tax Commissioner
14 shall require the county assessor to recertify the taxable valuation by
15 school district in the county on forms prescribed by the Tax
16 Commissioner. The recertified valuation shall be the valuation that was
17 certified on the tax list, pursuant to section 77-1613, increased or
18 decreased by changes to the tax list that change the assessed value of
19 taxable property in the school district in the county in the prior
20 assessment year. On or before the following July 31, the Tax Commissioner
21 shall approve or deny the request and, if approved, certify the corrected
22 adjusted valuations resulting from such action to the State Department of
23 Education.

24 (7) No injunction shall be granted restraining the distribution of
25 state aid based upon the adjusted valuations pursuant to this section.

26 (8) A school district whose state aid is to be calculated pursuant
27 to subsection (5) of this section and whose state aid payment is
28 postponed as a result of failure to calculate state aid pursuant to such
29 subsection may apply to the state board for lump-sum payment of such
30 postponed state aid. Such application may be for any amount up to one
31 hundred percent of the postponed state aid. The state board may grant the

1 entire amount applied for or any portion of such amount. The state board
2 shall notify the Director of Administrative Services of the amount of
3 funds to be paid in a lump sum and the reduced amount of the monthly
4 payments. The Director of Administrative Services shall, at the time of
5 the next state aid payment made pursuant to section 79-1022, draw a
6 warrant for the lump-sum amount from appropriated funds and forward such
7 warrant to the district.

8 Sec. 29. Section 79-1036, Revised Statutes Cumulative Supplement,
9 2016, is amended to read:

10 79-1036 (1) In making the apportionment under section 79-1035, the
11 Commissioner of Education shall distribute from the school fund for
12 school purposes to (a) for school fiscal years prior to school fiscal
13 year 2017-18, any and all learning communities and school districts which
14 are not members of a learning community, and (b) for school fiscal year
15 2017-18 and each school fiscal year thereafter, all school districts in
16 which there are situated school lands which have not been sold and
17 transferred by deed or saline lands owned by the state, which lands are
18 being used for a public purpose, an amount in lieu of tax money that
19 would be raised by school district levies if such lands were taxable, to
20 be ascertained in accordance with subsection (2) of this section, except
21 that:

22 (i) For Class I districts or portions thereof which are affiliated
23 and in which there are situated school or saline lands, 38.6207 percent
24 of the in lieu of land tax money calculated pursuant to subsection (2) of
25 this section, based on the affiliated school system tax levy computed
26 pursuant to section 79-1077, shall be distributed to the affiliated high
27 school district and the remainder shall be distributed to the Class I
28 district;

29 (ii) For Class I districts or portions thereof which are part of a
30 Class VI district which offers instruction in grades nine through twelve
31 and in which there are situated school or saline lands, 38.6207 percent

1 of the in lieu of land tax money calculated pursuant to subsection (2) of
2 this section, based on the Class VI school system levy computed pursuant
3 to section 79-1078, shall be distributed to the Class VI district and the
4 remainder shall be distributed to the Class I district;

5 (iii) For Class I districts or portions thereof which are part of a
6 Class VI district which offers instruction in grades seven through twelve
7 and in which there are situated school or saline lands, 55.1724 percent
8 of the in lieu of land tax money calculated pursuant to subsection (2) of
9 this section, based on the Class VI school system levy computed pursuant
10 to section 79-1078, shall be distributed to the Class VI district and the
11 remainder shall be distributed to the Class I district; and

12 (iv) For Class I districts or portions thereof which are part of a
13 Class VI district which offers instruction in grades six through twelve
14 and in which there are situated school or saline lands, 62.0690 percent
15 of the in lieu of land tax money calculated pursuant to subsection (2) of
16 this section, based on the Class VI school system levy computed pursuant
17 to section 79-1078, shall be distributed to the Class VI district and the
18 remainder shall be distributed to the Class I district.

19 (2) The county assessor shall certify to the Commissioner of
20 Education the tax levies of each school district and, for levies
21 certified prior to January 1, 2017, learning community in which school
22 land or saline land is located and the last appraised value of such
23 school land, which value shall be the agricultural-use ~~same percentage of~~
24 ~~the appraised value as the percentage of the assessed value is of market~~
25 value described in subsection (2) of section 77-201 for the purpose of
26 applying the applicable tax levies for each district and, for levies
27 certified prior to January 1, 2017, learning community in determining the
28 distribution to the districts of such amounts. The school board of any
29 school district and, for levies certified prior to January 1, 2017, the
30 learning community coordinating council of any learning community in
31 which there is located any leased or undeeded school land or saline land

1 subject to this section may appeal to the Board of Educational Lands and
2 Funds for a reappraisalment of such school land if such school board or
3 learning community coordinating council deems the land not appraised in
4 proportion to the value of adjoining land of the same or similar value.
5 The Board of Educational Lands and Funds shall proceed to investigate the
6 facts involved in such appeal and, if the contention of the school board
7 or learning community coordinating council is correct, make the proper
8 reappraisalment. The value calculation in this subsection shall be used by
9 the Commissioner of Education for making distributions in each school
10 fiscal year.

11 Sec. 30. The State Treasurer shall transfer an additional
12 \$75,000,000 from the General Fund to the Property Tax Credit Cash Fund on
13 or before June 30, 2018, on such date as directed by the budget
14 administrator of the budget division of the Department of Administrative
15 Services.

16 Sec. 31. The State Treasurer shall transfer an additional
17 \$75,000,000 from the General Fund to the Property Tax Credit Cash Fund on
18 or before June 30, 2019, on such date as directed by the budget
19 administrator of the budget division of the Department of Administrative
20 Services.

21 Sec. 32. Sections 10, 11, 12, 13, 14, 16, 17, 18, 19, 24, 25, 26,
22 27, 28, 29, 34, and 35 of this act become operative on January 1, 2018.
23 The other sections of this act become operative on their effective date.

24 Sec. 33. Original section 77-2715.09, Reissue Revised Statutes of
25 Nebraska, and sections 77-1116, 77-2716, 77-2734.01, and 77-2912, Revised
26 Statutes Cumulative Supplement, 2016, are repealed.

27 Sec. 34. Original sections 19-2428, 46-294.03, 77-103.01,
28 77-1507.01, 77-5023, and 79-1016, Reissue Revised Statutes of Nebraska,
29 and sections 76-710.04, 77-201, 77-1327, 77-1371, 77-1502, 77-4212,
30 77-5007, 77-5022, and 79-1036, Revised Statutes Cumulative Supplement,
31 2016, are repealed.

1 Sec. 35. The following sections are outright repealed: Sections
2 77-1343, 77-1344, 77-1345, 77-1345.01, 77-1346, and 77-1347.01, Reissue
3 Revised Statutes of Nebraska, and sections 77-1347, 77-1359, and 77-1363,
4 Revised Statutes Cumulative Supplement, 2016.