

**ONE HUNDRED NINTH LEGISLATURE - FIRST SESSION - 2025**  
**COMMITTEE STATEMENT**  
**LB468**

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**Hearing Date:** Wednesday February 05, 2025  
**Committee On:** Revenue  
**Introducer:** Clements  
**One Liner:** Change provisions relating to inheritance taxes, change certain fee and tax provisions, and eliminate a sales tax exemption relating to data centers

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

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**Vote Results:**

<b>Aye:</b>	6	Senators von Gillern, Ibach, Jacobson, Kauth, Murman, Sorrentino
<b>Nay:</b>	2	Senators Bostar, Dungan
<b>Absent:</b>		
<b>Present Not Voting:</b>		

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**Testimony:**

**Proponents:**

Senator Robert Clements  
Richard Clements  
Jon Cannon  
Candace Meredith  
Doug Kagan  
Mark Schoenrock

Alan Seybert  
Ryan McIntosh  
Brandi Burkett  
Micaela Wuehler

Steve Davies  
Neil Miller

**Opponents:**

Kevin Quinn  
Lori Pirsch  
Carol Bodeen  
Hunter Traynor

Rebecca Firestone  
Steve delBianco  
Christa Yoakum

**Representing:**

Opening Presenter  
Self  
Nebraska Association of County Officials  
Nebraska Association of County Officials  
Nebraska Taxpayers for Freedom  
Jefferson County, Nebraska Association of County Officials  
Nebraska Taxpayers for Freedom  
National Federation of Independent Business  
Self  
Lincoln County, Nebraska Association of County Officials  
Self  
Buffalo County, Nebraska Sheriffs Association

**Representing:**

Invenergy, Advanced Power Alliance  
Douglas County  
Nebraska Housing Developers Association  
Nebraska Chamber of Commerce & Industry, Greater Omaha Chamber, Lincoln Chamber, Nebraska Economic Development Association, Tech Nebraska  
OpenSky Policy Institute  
NetChoice  
Lancaster County Board of Commissioners



**Neutral:****Representing:**

\* ADA Accommodation Written Testimony

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**Summary of purpose and/or changes:**

LB468 modifies the state inheritance tax structure by effectively applying a single rate of one percent on the clear market value for all property received by each person exceeding \$100,000. To compensate for the anticipated revenue loss to counties due to this change, the bill increases various taxes and fees, eliminates a sales tax exemption, adjusts allocation percentages of various collected taxes, and adjusts the allocation of tax funds, including funds from the Securities Act Cash Fund, for distribution to the counties proportionately. The bill also provides legislative intent to examine the increases at least once every five years to determine if adjustments are needed.

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**Explanation of amendments:**

AM874 is a white copy amendment adopted by the committee that strikes and replaces the original sections of LB468.

**Section-by-Section Summary**

Section 1: Amends section 8-1120 to authorize distributions from the Securities Act Cash Fund to the counties in the amount of five million dollars annually and is to be distributed proportionally based on each county's share of the total taxable property in the state. The transfer amounts from the Securities Act Cash Fund to the General Fund are accordingly reduced by five million dollars.

Section 2: Amends section 33-110 to increase the fee that a county clerk shall collect for marriage proceedings to fifty dollars; increase the fee for a certified copy of a marriage record to twenty dollars; and states the Legislature's intent to review and determine if such fees should be adjusted at least once every five years, beginning in 2030.

Section 3: Amends section 60-158 to increase the identification inspection fee conducted by a county sheriff to thirty dollars plus mileage in excess of ten miles. States the Legislature's intent to review and determine if such fees should be adjusted at least once every five years, beginning in 2030.

Section 4: Amends section 60-3,186 to change how motor vehicle tax is allocated. Increases the percentage a county treasurer may retain for operating costs to two percent of the tax proceeds collected. In counties where no city of the metropolitan class exists, the percentage that a county is allocated is increased to twenty-one and eight-tenths percent, and the percentage a city or village is allocated is increased to eighteen and two-tenths percent. In counties containing a city of the metropolitan class, the percentage allocated to the county is reduced to seventeen and eight-tenths percent, and the percentage allocated to a city or village is increased to twenty-two and two-tenths percent.

Section 5: Amends section 76-903 to change how the document stamp tax is allocated. Increases the amount the register of deeds will retain for the county general fund to seventy-five cents of each two dollars and twenty-five cents of the tax collected. Removes the twenty-five cent allocation for the Site and Building Development Fund.

Section 6: Amends section 77-684 so that, beginning on and after September 1, 2025, the Property Tax Administrator shall remit the property tax collected, less a three percent collection fee remitted to the Property Assessment Division Cash Fund, to the State Treasurer to distribute among the counties. The distribution shall be made in the following



manner: Ninety percent to the counties that levy railroad taxes as prescribed, and the remaining ten percent to counties that do not levy railroad taxes as prescribed.

Section 7: Amends section 77-912 to adjust the percentages of the taxes collected that the Director of Insurance is required to transmit in conformity with Chapter 44, article 1, and Chapter 77, article 9. Increases the percentage allocated to the State Treasurer to sixty percent, and decreases the percentage allocated to the General Fund to thirty percent.

Section 8: Amends section 77-913 to adjust the allocation percentages for the Insurance Tax Fund annual disbursement. Increases the percentage of the total allocated to the counties in proportion to the county's total taxable valuation of all property to the state's total taxable valuation of all property to twenty-five percent. Decreases the percentage of the total allocated to the Municipal Equalization Fund to twenty-five percent. Decreases the percentage of the total allocated to the State Department of Education for distribution to school districts as equalization aid to fifty percent.

Section 9: Amends section 77-1720 to increase the fees allowed for issuing distress warrants and levy and return of warrants, to twenty dollars per warrant. States the Legislature's intent to review and determine if such fees should be adjusted at least once every five years, beginning in 2030.

Section 10: Amends section 77-1804 to increase the county treasurer fee to defray the advertising costs of listing real property subject to tax sale to twenty dollars per parcel. States the Legislature's intent to review and determine if such fee should be adjusted every five years, beginning in 2030.

Section 11: Amends section 77-2004 to provide that for a person as defined by this section dying on or after July 1, 2025, the inheritance tax rate shall be one percent of the clear market value of the property received by each person in excess of one hundred fifty thousand dollars.

Section 12: Amends section 77-2005 to provide that for a person as defined by this section dying on or after July 1, 2025, the inheritance tax rate shall be three percent of the clear market value of the property received by each person in excess of fifty thousand dollars.

Section 13: Amends section 77-2006 to provide that for a person in all other cases other than a person defined in section 77-2004 or 77-2005 dying on or after July 1, 2025, the inheritance tax rate shall be three percent of the clear market value of the beneficial interests received by each person in excess of fifty thousand dollars.

Section 14: Amends section 77-6203 to increase the nameplate capacity tax for the owner of a renewable energy generation facility to six thousand five hundred sixty dollars per megawatt. Beginning on January 1, 2027, and each January 1 thereafter, the Department of Revenue shall adjust the tax rate by the average annual percentage change in the total amount of property taxes levied statewide over the most recent ten-year period for which such information is available.

Section 15: Amends section 77-6801 to include new section 19 of this act in the ImagiNE Nebraska Act.

Section 16: Amends section 77-6815 to harmonize with the changes made in section 77-6831.

Section 17: Amends section 77-6831 of the ImagiNE Nebraska Act to eliminate the third tier sale and use tax incentives and property tax exemptions. Third tier is investment in qualified property of at least fifty million dollars and includes various employee wage and benefit requirements.



Section 18: Amends section 77-6833 to harmonize with the changes made in section 77-6831.

Section 19: A new section added to the ImagiNE Nebraska Act which provides that the changes made to sections 77-6815, 77-6831, and 77-6833 apply to all applications filed on and after January 21, 2025.

Section 20: Amends section 81-12,146 to harmonize with the changes made in section 76-903.

Section 21: Operative date of July, 1 2025.

Section 22: Repealer.

Section 23: Outright repeal of sections 77-2701.54 and 77-2704.62 relating to, and eliminating a sales tax exemption for, data centers.

Section 24: Emergency clause.

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R. Brad von Gillern, Chairperson

