

LEGISLATURE OF NEBRASKA
ONE HUNDRED EIGHTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 1315

Introduced by Linehan, 39.

Read first time January 17, 2024

Committee: Revenue

- 1 A BILL FOR AN ACT relating to revenue and taxation; to amend sections
- 2 77-2701.02 and 77-27,132, Revised Statutes Supplement, 2023; to
- 3 change the sales tax rate; to harmonize provisions; to provide an
- 4 operative date; and to repeal the original sections.
- 5 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 77-2701.02, Revised Statutes Supplement, 2023, is
2 amended to read:

3 77-2701.02 Pursuant to section 77-2715.01:

4 (1) Until July 1, 1998, the rate of the sales tax levied pursuant to
5 section 77-2703 shall be five percent;

6 (2) Commencing July 1, 1998, and until July 1, 1999, the rate of the
7 sales tax levied pursuant to section 77-2703 shall be four and one-half
8 percent;

9 (3) Commencing July 1, 1999, and until the start of the first
10 calendar quarter after July 20, 2002, the rate of the sales tax levied
11 pursuant to section 77-2703 shall be five percent;

12 (4) Commencing on the start of the first calendar quarter after July
13 20, 2002, and until July 1, 2023, the rate of the sales tax levied
14 pursuant to section 77-2703 shall be five and one-half percent;~~and~~

15 (5) Commencing July 1, 2023, and until October 1, 2024, the rate of
16 the sales tax levied pursuant to section 77-2703 shall be five and one-
17 half percent, except that such rate shall be two and three-quarters
18 percent on transactions occurring within a good life district as defined
19 in section 77-4403; and -

20 (6) Commencing October 1, 2024, the rate of the sales tax levied
21 pursuant to section 77-2703 shall be six and one-half percent, except
22 that such rate shall be two and three-quarters percent on transactions
23 occurring within a good life district as defined in section 77-4403.

24 Sec. 2. Section 77-27,132, Revised Statutes Supplement, 2023, is
25 amended to read:

26 77-27,132 (1) There is hereby created a fund to be designated the
27 Revenue Distribution Fund which shall be set apart and maintained by the
28 Tax Commissioner. Revenue not required to be credited to the General Fund
29 or any other specified fund may be credited to the Revenue Distribution
30 Fund. Credits and refunds of such revenue shall be paid from the Revenue
31 Distribution Fund. The balance of the amount credited, after credits and

1 refunds, shall be allocated as provided by the statutes creating such
2 revenue.

3 (2) The Tax Commissioner shall pay to a depository bank designated
4 by the State Treasurer all amounts collected under the Nebraska Revenue
5 Act of 1967. The Tax Commissioner shall present to the State Treasurer
6 bank receipts showing amounts so deposited in the bank, and of the
7 amounts so deposited the State Treasurer shall:

8 (a) For transactions occurring on or after October 1, 2014, and
9 before October 1, 2027, credit to the Game and Parks Commission Capital
10 Maintenance Fund all of the proceeds of the sales and use taxes imposed
11 pursuant to section 77-2703 on the sale or lease of motorboats as defined
12 in section 37-1204, personal watercraft as defined in section 37-1204.01,
13 all-terrain vehicles as defined in section 60-103, and utility-type
14 vehicles as defined in section 60-135.01;

15 (b) Credit to the Highway Trust Fund all of the proceeds of the
16 sales and use taxes derived from the sale or lease for periods of more
17 than thirty-one days of motor vehicles, trailers, and semitrailers,
18 except that the proceeds equal to any sales tax rate provided for in
19 section 77-2701.02 that is in excess of six ~~five~~ percent derived from the
20 sale or lease for periods of more than thirty-one days of motor vehicles,
21 trailers, and semitrailers shall be credited to the Highway Allocation
22 Fund;

23 (c) For transactions occurring on or after July 1, 2013, and before
24 July 1, 2042, of the proceeds of the sales and use taxes derived from
25 transactions other than those listed in subdivisions (2)(a), (b), and (e)
26 of this section from a sales tax rate of one-quarter of one percent,
27 credit monthly eighty-five percent to the Highway Trust Fund and fifteen
28 percent to the Highway Allocation Fund;

29 (d) Of the proceeds of the sales and use taxes derived from
30 transactions other than those listed in subdivisions (2)(a), (b), and (e)
31 of this section, credit to the Property Tax Credit Cash Fund the amount

1 certified under section 77-27,237, if any such certification is made; and
2 (e) For transactions occurring on or after July 1, 2023, credit to
3 the Department of Transportation Aeronautics Capital Improvement Fund all
4 of the proceeds of the sales and use taxes imposed pursuant to section
5 77-2703 on the sale or lease of aircraft as defined in section 3-101.

6 The balance of all amounts collected under the Nebraska Revenue Act
7 of 1967 shall be credited to the General Fund.

8 Sec. 3. This act becomes operative on October 1, 2024.

9 Sec. 4. Original sections 77-2701.02 and 77-27,132, Revised
10 Statutes Supplement, 2023, are repealed.