

AMENDMENTS TO LB958

Introduced by Revenue.

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

3 Section 1. Section 13-520, Revised Statutes Supplement, 2015, is
4 amended to read:

5 13-520 The limitations in section 13-519 shall not apply to (1)
6 restricted funds budgeted for capital improvements, (2) restricted funds
7 expended from a qualified sinking fund for acquisition or replacement of
8 tangible personal property with a useful life of five years or more, (3)
9 restricted funds pledged to retire bonded indebtedness, used by a public
10 airport to retire interest-free loans from the Department of Aeronautics
11 in lieu of bonded indebtedness at a lower cost to the public airport, or
12 used to pay other financial instruments that are approved and agreed to
13 before July 1, 1999, in the same manner as bonds by a governing body
14 created under section 35-501, (4) restricted funds budgeted in support of
15 a service which is the subject of an agreement or a modification of an
16 existing agreement whether operated by one of the parties to the
17 agreement or by an independent joint entity or joint public agency, (5)
18 restricted funds budgeted to pay for repairs to infrastructure damaged by
19 a natural disaster which is declared a disaster emergency pursuant to the
20 Emergency Management Act, (6) restricted funds budgeted to pay for
21 judgments, except judgments or orders from the Commission of Industrial
22 Relations, obtained against a governmental unit which require or obligate
23 a governmental unit to pay such judgment, to the extent such judgment is
24 not paid by liability insurance coverage of a governmental unit or a pool
25 of funds maintained by the governmental unit to self-insure against such
26 liabilities, or (7) the dollar amount by which restricted funds budgeted
27 by a natural resources district to administer and implement ground water

1 management activities and integrated management activities under the
2 Nebraska Ground Water Management and Protection Act exceed its restricted
3 funds budgeted to administer and implement ground water management
4 activities and integrated management activities for FY2003-04.

5 Sec. 2. Section 13-521, Reissue Revised Statutes of Nebraska, is
6 amended to read:

7 13-521 (1) A governmental unit may choose not to increase its total
8 of restricted funds by the full amount allowed by law in a particular
9 year. In such cases, the governmental unit may carry forward to future
10 budget years the amount of unused restricted funds authority. The
11 governmental unit shall calculate its unused restricted funds authority
12 and submit an accounting of such amount with the budget documents for
13 that year. Such unused restricted funds authority may then be used in
14 later years for increases in the total of restricted funds allowed by
15 law. This subsection shall not apply to community colleges for fiscal
16 years beginning on or after July 1, 2017 ~~Any unused budget authority~~
17 ~~existing on April 8, 1998, by reason of any prior law may be used for~~
18 ~~increases in restricted funds authority.~~

19 (2) For any fiscal year beginning on or after July 1, 2017, a
20 community college may choose not to increase its total of restricted
21 funds by the full amount allowed by law in a particular year. In such
22 cases, the community college may carry forward to future budget years the
23 amount of unused restricted funds authority. The community college shall
24 calculate its unused restricted funds authority and submit an accounting
25 of such amount with the budget documents for that year. The amount of
26 unused restricted funds authority that may be used by a community college
27 in a single fiscal year to increase its total of restricted funds above
28 the restricted funds authority as calculated pursuant to section 13-519
29 shall be limited to three percent of the difference of the total of
30 restricted funds minus the exclusions in section 13-520 for the
31 immediately preceding fiscal year.

1 Sec. 3. Section 77-4212, Revised Statutes Cumulative Supplement,
2 2014, is amended to read:

3 77-4212 (1) For tax year 2007, the amount of relief granted under
4 the Property Tax Credit Act shall be one hundred five million dollars.
5 For tax year 2008, the amount of relief granted under the act shall be
6 one hundred fifteen million dollars. It is the intent of the Legislature
7 to fund the Property Tax Credit Act for tax years after tax year 2008
8 using available revenue. For tax year 2017, the amount of relief granted
9 under the act shall be two hundred thirty-four million dollars. The
10 relief shall be in the form of a property tax credit which appears on the
11 property tax statement.

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

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

24 (3) If the real property owner qualifies for a homestead exemption
25 under sections 77-3501 to 77-3529, the owner shall also be qualified for
26 the relief provided in the act to the extent of any remaining liability
27 after calculation of the relief provided by the homestead exemption. If
28 the credit results in a property tax liability on the homestead that is
29 less than zero, the amount of the credit which cannot be used by the
30 taxpayer shall be returned to the State Treasurer by July 1 of the year
31 the amount disbursed to the county was disbursed. The State Treasurer

1 shall immediately credit any funds returned under this section to the
2 Property Tax Credit Cash Fund.

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

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

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

8 (~~6~~ 5) The State Treasurer shall transfer from the General Fund to
9 the Property Tax Credit Cash Fund one hundred five million dollars by
10 August 1, 2007, and one hundred fifteen million dollars by August 1,
11 2008.

12 (~~7~~ 6) The Legislature shall have the power to transfer funds from
13 the Property Tax Credit Cash Fund to the General Fund.

14 Sec. 4. Original section 13-521, Reissue Revised Statutes of
15 Nebraska, section 77-4212, Revised Statutes Cumulative Supplement, 2014,
16 and section 13-520, Revised Statutes Supplement, 2015, are repealed.