

LEGISLATURE OF NEBRASKA  
ONE HUNDRED FOURTH LEGISLATURE  
FIRST SESSION

**LEGISLATIVE BILL 200**

Introduced by Davis, 43.

Read first time January 13, 2015

Committee: Revenue

- 1 A BILL FOR AN ACT relating to revenue and taxation; to amend section
- 2 77-27,132, Revised Statutes Cumulative Supplement, 2014; to provide
- 3 duties for the Department of Revenue; to change the distribution of
- 4 sales and use tax revenue; and to repeal the original section.
- 5 Be it enacted by the people of the State of Nebraska,

1           Section 1. If the federal government passes a law that expands the  
2 state's authority to require out-of-state retailers to collect and remit  
3 the tax imposed under section 77-2703 on purchases by Nebraska residents  
4 and the state collects additional revenue under section 77-2703 as a  
5 result of such federal law, then the Department of Revenue shall  
6 determine the amount of such additional revenue collected during the  
7 first twelve months following the date on which the state begins  
8 collecting such additional revenue. The department shall certify such  
9 amount to the Governor, the Legislature, and the State Treasurer, and the  
10 certified amount shall be used for purposes of subdivision (2)(d) of  
11 section 77-27,132.

12           Sec. 2. Section 77-27,132, Revised Statutes Cumulative Supplement,  
13 2014, is amended to read:

14           77-27,132 (1) There is hereby created a fund to be designated the  
15 Revenue Distribution Fund which shall be set apart and maintained by the  
16 Tax Commissioner. Revenue not required to be credited to the General Fund  
17 or any other specified fund may be credited to the Revenue Distribution  
18 Fund. Credits and refunds of such revenue shall be paid from the Revenue  
19 Distribution Fund. The balance of the amount credited, after credits and  
20 refunds, shall be allocated as provided by the statutes creating such  
21 revenue.

22           (2) The Tax Commissioner shall pay to a depository bank designated  
23 by the State Treasurer all amounts collected under the Nebraska Revenue  
24 Act of 1967. The Tax Commissioner shall present to the State Treasurer  
25 bank receipts showing amounts so deposited in the bank, and of the  
26 amounts so deposited the State Treasurer shall:

27           (a) For transactions occurring on or after October 1, 2014, and  
28 before October 1, 2019, credit to the Game and Parks Commission Capital  
29 Maintenance Fund all of the proceeds of the sales and use taxes imposed  
30 pursuant to section 77-2703 on the sale or lease of motorboats as defined  
31 in section 37-1204, personal watercraft as defined in section 37-1204.01,

1 all-terrain vehicles as defined in section 60-103, and utility-type  
2 vehicles as defined in section 60-135.01;

3 (b) Credit to the Highway Trust Fund all of the proceeds of the  
4 sales and use taxes derived from the sale or lease for periods of more  
5 than thirty-one days of motor vehicles, trailers, and semitrailers,  
6 except that the proceeds equal to any sales tax rate provided for in  
7 section 77-2701.02 that is in excess of five percent derived from the  
8 sale or lease for periods of more than thirty-one days of motor vehicles,  
9 trailers, and semitrailers shall be credited to the Highway Allocation  
10 Fund;~~and~~

11 (c) For transactions occurring on or after July 1, 2013, and before  
12 July 1, 2033, of the proceeds of the sales and use taxes derived from  
13 transactions other than those listed in subdivisions (2)(a) and (b) of  
14 this section from a sales tax rate of one-quarter of one percent, credit  
15 monthly eighty-five percent to the State Highway Capital Improvement Fund  
16 and fifteen percent to the Highway Allocation Fund; and -

17 (d) Of the proceeds of the sales and use taxes derived from  
18 transactions other than those listed in subdivisions (2)(a) and (b) of  
19 this section, credit to the Property Tax Credit Cash Fund the amount  
20 certified under section 1 of this act, if any such certification is made.

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

23 Sec. 3. Original section 77-27,132, Revised Statutes Cumulative  
24 Supplement, 2014, is repealed.