

ONE HUNDRED FOURTH LEGISLATURE

FIRST SESSION

**LEGISLATIVE RESOLUTION 326**

Introduced by Davis, 43; Friesen, 34; Hughes, 44; Larson, 40; Schilz, 47;  
Schnoor, 15.

PURPOSE: The purpose of this resolution is to examine the procedure for and use of like-kind exchanges under section 1031 of the United States Internal Revenue Code and their potential impact on the taxable value of agricultural and horticultural land. This study shall include, but not be limited to:

(1) The prevalence of the use of section 1031 exchanges for the acquisition or disposition of agricultural and horticultural land and the number of section 1031 exchanges used to determine the taxable value of agricultural and horticultural land;

(2) The impact on the taxable value of agricultural and horticultural land with the use of section 1031 exchanges in the sales file;

(3) The adequacy of the information required on real estate transfer statements, otherwise known as form 521, with regard to section 1031 exchanges and the adequacy of the information obtained by assessors with regard to section 1031 exchanges in addition to that information obtained from the form 521; and

(4) Recommendations on policy alternatives to mitigate the impacts of section 1031 exchanges on taxable value, if warranted.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED FOURTH LEGISLATURE OF NEBRASKA, FIRST SESSION:

1. That the Revenue Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.