

LEGISLATURE OF NEBRASKA
 ONE HUNDREDTH LEGISLATURE
 FIRST SESSION
LEGISLATIVE BILL 159

Introduced By: Heidemann, 1; Fischer, 43;
 Read first time: January 8, 2007
 Committee: Revenue

A BILL

1 FOR AN ACT relating to revenue and taxation; to amend section
 2 77-2708.01, Reissue Revised Statutes of Nebraska, and
 3 section 77-2704.36, Revised Statutes Cumulative Supplement,
 4 2006; to exempt repair or replacement parts for commercial
 5 agricultural machinery and equipment from sales and use tax;
 6 to harmonize provisions; to provide an operative date; and
 7 to repeal the original sections.

8 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 77-2704.36, Revised Statutes Cumulative
2 Supplement, 2006, is amended to read:

3 77-2704.36. (1) Sales and use tax shall not be imposed on
4 the gross receipts from the sale, lease, or rental of depreciable
5 agricultural machinery and equipment purchased, leased, or rented on
6 or after January 1, 1993, for use in commercial agriculture.

7 (2) Sales and use tax shall not be imposed on the gross
8 receipts from the sale, lease, or rental of repair or replacement
9 parts for agricultural machinery or equipment used in commercial
10 agriculture.

11 Sec. 2. Section 77-2708.01, Reissue Revised Statutes of
12 Nebraska, is amended to read:

13 77-2708.01. (1) Any purchaser of depreciable ~~repairs or~~
14 repair or replacement parts for agricultural machinery or equipment
15 used in commercial agriculture may apply for a refund of all of the
16 Nebraska sales or use taxes and all of the local option sales or use
17 taxes paid prior to October 1, 2007, on the ~~repairs or~~ repair or
18 replacement parts

19 (2) The purchaser shall file a claim within three years
20 after the date of purchase with the Tax Commissioner pursuant to
21 section 77-2708. The information provided on a tax refund claim
22 allowed under this section may be disclosed to any other tax official
23 of this state.

24 Sec. 3. This act becomes operative on October 1, 2007.

25 Sec. 4. Original section 77-2708.01, Reissue Revised
26 Statutes of Nebraska, and section 77-2704.36, Revised Statutes
27 Cumulative Supplement, 2006, are repealed.

