Introduce by Smith, 14.

Read first time January 18, 2018

Committee: Revenue

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2716.01, Reissue Revised Statutes of Nebraska, and section 77-2715.03, Revised Statutes Cumulative Supplement, 2016; to change provisions relating to income tax brackets, personal exemptions, standard deductions, and itemized deductions; to harmonize provisions; and to repeal the original sections.

Be it enacted by the people of the State of Nebraska,
Section 1. Section 77-2715.03, Revised Statutes Cumulative Supplement, 2016, is amended to read:

77-2715.03 (1) For taxable years beginning or deemed to begin on or after January 1, 2013, and before January 1, 2014, the following brackets and rates are hereby established for the Nebraska individual income tax:

**Individual Income Tax Brackets and Rates**

<table>
<thead>
<tr>
<th>Bracket Number</th>
<th>Single Individuals Filing</th>
<th>Married, Head of Household Filing</th>
<th>Married, Estates Filing and Rate</th>
<th>Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>$0-2,399</td>
<td>$0-4,799</td>
<td>$0-4,499</td>
<td>2.46%</td>
</tr>
<tr>
<td>2</td>
<td>$2,400-</td>
<td>$4,800-</td>
<td>$4,500-</td>
<td>3.51%</td>
</tr>
<tr>
<td>3</td>
<td>$17,499</td>
<td>34,999</td>
<td>27,999</td>
<td>5.01%</td>
</tr>
<tr>
<td>4</td>
<td>$17,500-</td>
<td>$35,000-</td>
<td>$28,000-</td>
<td>6.84%</td>
</tr>
<tr>
<td>5</td>
<td>$26,999</td>
<td>53,999</td>
<td>39,999</td>
<td></td>
</tr>
<tr>
<td>6</td>
<td>$27,000</td>
<td>$54,000-</td>
<td>$40,000-</td>
<td></td>
</tr>
</tbody>
</table>

(2) For taxable years beginning or deemed to begin on or after January 1, 2014, the following brackets and rates are hereby established for the Nebraska individual income tax:

**Individual Income Tax Brackets and Rates**

<table>
<thead>
<tr>
<th>Bracket Number</th>
<th>Single Individuals Filing</th>
<th>Married, Head of Household Filing</th>
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<th>Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>$0-2,999</td>
<td>$0-5,999</td>
<td>$0-5,599</td>
<td>2.46%</td>
</tr>
<tr>
<td>2</td>
<td>$3,000-</td>
<td>$6,000-</td>
<td>$5,600-</td>
<td>3.51%</td>
</tr>
<tr>
<td>3</td>
<td>$17,999</td>
<td>35,999</td>
<td>28,799</td>
<td>5.01%</td>
</tr>
<tr>
<td>4</td>
<td>$18,000-</td>
<td>$36,000-</td>
<td>$28,800-</td>
<td>6.84%</td>
</tr>
<tr>
<td>5</td>
<td>$28,999</td>
<td>57,999</td>
<td>42,999</td>
<td></td>
</tr>
<tr>
<td>6</td>
<td>$29,000</td>
<td>$58,000-</td>
<td>$43,000-</td>
<td></td>
</tr>
</tbody>
</table>

and Over and Over and Over and Over and Over 6.84%
(a) For taxable years beginning or deemed to begin on or after January 1, 2015, the minimum and maximum dollar amounts for each income tax bracket provided in subsection (2) of this section shall be adjusted for inflation by the percentage determined under subdivision (3)(b) of this section. The rate applicable to any such income tax bracket shall not be changed as part of any adjustment under this subsection. The minimum and maximum dollar amounts for each income tax bracket as adjusted shall be rounded to the nearest ten-dollar amount. If the adjusted amount for any income tax bracket ends in a five, it shall be rounded up to the nearest ten-dollar amount.

(b)(i) For taxable years beginning or deemed to begin on or after January 1, 2015, and before January 1, 2018, the Tax Commissioner shall adjust the income tax brackets by the percentage determined pursuant to the provisions of section 1(f) of the Internal Revenue Code of 1986, as it existed prior to December 22, 2017 amended, except that in section 1(f)(3)(B) of the code the year 2013 shall be substituted for the year 1992. For 2015, the Tax Commissioner shall then determine the percent change from the twelve months ending on August 31, 2013, to the twelve months ending on August 31, 2014, and in each subsequent year, from the twelve months ending on August 31, 2013, to the twelve months ending on August 31 of the year preceding the taxable year. The Tax Commissioner shall prescribe new tax rate schedules that apply in lieu of the schedules set forth in subsection (2) of this section.

(ii) For taxable years beginning or deemed to begin on or after January 1, 2018, the Tax Commissioner shall adjust the income tax brackets based on the percentage change in the Consumer Price Index for All Urban Consumers published by the federal Bureau of Labor Statistics from the twelve months ending on August 31, 2016, to the twelve months ending on August 31 of the year preceding the taxable year. The Tax Commissioner shall prescribe new tax rate schedules that apply in lieu of the schedules set forth in subsection (2) of this section.
(4) Whenever the tax brackets or tax rates are changed by the Legislature, the Tax Commissioner shall update the tax rate schedules to reflect the new tax brackets or tax rates and shall publish such updated schedules.

(5) The Tax Commissioner shall prepare, from the rate schedules, tax tables which can be used by a majority of the taxpayers to determine their Nebraska tax liability. The design of the tax tables shall be determined by the Tax Commissioner. The size of the tax table brackets may change as the level of income changes. The difference in tax between two tax table brackets shall not exceed fifteen dollars. The Tax Commissioner may build the personal exemption credit and standard deduction amounts into the tax tables.

(6) For taxable years beginning or deemed to begin on or after January 1, 2013, the tax rate applied to other federal taxes included in the computation of the Nebraska individual income tax shall be 29.6 percent.

(7) The Tax Commissioner may require by rule and regulation that all taxpayers shall use the tax tables if their income is less than the maximum income included in the tax tables.

Sec. 2. Section 77-2716.01, Reissue Revised Statutes of Nebraska, is amended to read:

77-2716.01 (1)(a) Through tax year 2017, every individual shall be allowed to subtract from his or her income tax liability an amount for personal exemptions. The amount allowed to be subtracted shall be the credit amount for the year as provided in this subdivision section multiplied by the number of exemptions allowed on the federal return. For tax year 1993, the credit amount shall be sixty-five dollars; for tax year 1994, the credit amount shall be sixty-nine dollars; for tax year 1995, the credit amount shall be sixty-nine dollars; for tax year 1996, the credit amount shall be seventy-two dollars; for tax year 1997, the credit amount shall be eighty-six dollars; for tax year 1998, the credit amount shall be
amount shall be eighty-eight dollars; for tax year 1999, and each year thereafter through tax year 2017, the credit amount shall be adjusted for inflation by the method provided in section 151 of the Internal Revenue Code of 1986, as it existed prior to December 22, 2017, amended. The eighty-eight-dollar credit amount shall be adjusted for cumulative inflation since 1998. If any credit amount is not an even dollar amount, the amount shall be rounded to the nearest dollar. For nonresident individuals and partial-year resident individuals, the personal exemption credit shall be subtracted as specified in subsection (3) of section 77-2715.

(b) Beginning with tax year 2018, every individual, except an individual that can be claimed for a child credit or dependent credit on the federal return of another taxpayer, shall be allowed to subtract from his or her income tax liability an amount for personal exemptions. The amount allowed to be subtracted shall be the credit amount for the year as provided in this subdivision multiplied by the sum of the number of child credits and dependent credits taken on the federal return, plus two for a married filing jointly return or plus one for a single or head of household return. For tax year 2018, the credit amount shall be one hundred thirty-four dollars. For tax year 2019 and each tax year thereafter, the credit amount shall be adjusted for inflation based on the percentage change in the Consumer Price Index for All Urban Consumers published by the federal Bureau of Labor Statistics from the twelve months ending on August 31, 2017, to the twelve months ending on August 31 of the year preceding the taxable year. If any credit amount is not an even dollar amount, the amount shall be rounded to the nearest dollar. For nonresident individuals and partial-year resident individuals, the personal exemption credit shall be subtracted as specified in subsection (3) of section 77-2715.

(2)(a) For tax years beginning or deemed to begin on or after January 1, 2003, and before January 1, 2004, under the Internal Revenue
Code of 1986, as amended, every individual who did not itemize deductions on his or her federal return shall be allowed to subtract from federal adjusted gross income a standard deduction based on the filing status used on the federal return except as the amount is adjusted under section 77-2716.03. The standard deduction shall be the smaller of the federal standard deduction actually allowed or (i) for single taxpayers four thousand seven hundred fifty dollars, (ii) for head of household taxpayers seven thousand dollars, (iii) for married filing jointly taxpayers seven thousand nine hundred fifty dollars, and (iv) for married filing separately taxpayers three thousand nine hundred seventy-five dollars. Taxpayers who are allowed additional federal standard deduction amounts because of age or blindness shall be allowed an increase in the Nebraska standard deduction for each additional amount allowed on the federal return. The additional amounts shall be for married taxpayers, nine hundred fifty dollars, and for single or head of household taxpayers, one thousand one hundred fifty dollars.

(b) For tax years beginning or deemed to begin on or after January 1, 2007, and before January 1, 2018, under the Internal Revenue Code of 1986, as amended, every individual who did not itemize deductions on his or her federal return shall be allowed to subtract from federal adjusted gross income a standard deduction based on the filing status used on the federal return. The standard deduction shall be the smaller of the federal standard deduction actually allowed or (i) for single taxpayers three thousand dollars and (ii) for head of household taxpayers four thousand four hundred dollars. The standard deduction for married filing jointly taxpayers shall be double the standard deduction for single taxpayers, and for married filing separately taxpayers, the standard deduction shall be the same as single taxpayers. Taxpayers who are allowed additional federal standard deduction amounts because of age or blindness shall be allowed an increase in the Nebraska standard deduction for each additional amount allowed on the federal return. The additional
amounts shall be for married taxpayers six hundred dollars and for single
or head of household taxpayers seven hundred fifty dollars. The amounts
in this subdivision will be indexed using 1987 as the base year.

(c) For tax years beginning or deemed to begin on or after January
1, 2007, and before January 1, 2018, the standard deduction amounts,
including the additional standard deduction amounts, in this subsection
shall be adjusted for inflation by the method provided in section 151 of
the Internal Revenue Code of 1986, as it existed prior to December 22,
2017 amends. If any amount is not a multiple of fifty dollars, the
amount shall be rounded to the next lowest multiple of fifty dollars.

(3)(a) For tax years beginning or deemed to begin on or after
January 1, 2018, every individual who did not itemize deductions on his
or her federal return shall be allowed to subtract from federal adjusted
gross income a standard deduction based on the filing status used on the
federal return. The standard deduction shall be the smaller of the
federal standard deduction actually allowed or (i) six thousand seven
hundred fifty dollars for single taxpayers and (ii) nine thousand nine
hundred dollars for head of household taxpayers. The standard deduction
for married filing jointly taxpayers shall be double the standard
deduction for single taxpayers, and the standard deduction for married
filing separately taxpayers shall be the same as the standard deduction
for single taxpayers. Taxpayers who are allowed additional federal
standard deduction amounts because of age or blindness shall be allowed
an increase in the Nebraska standard deduction for each additional amount
allowed on the federal return. The additional amounts shall be one
thousand three hundred dollars for married taxpayers and one thousand six
hundred dollars for single or head of household taxpayers.

(b) For tax years beginning or deemed to begin on or after January
1, 2019, the standard deduction amounts, including the additional
standard deduction amounts, in this subsection shall be adjusted for
inflation based on the percentage change in the Consumer Price Index for
All Urban Consumers published by the federal Bureau of Labor Statistics
from the twelve months ending on August 31, 2017, to the twelve months
ending on August 31 of the year preceding the taxable year. If any amount
is not a multiple of fifty dollars, the amount shall be rounded to the
next lowest multiple of fifty dollars.

(4) (3) Every individual who itemized deductions on his or her
federal return shall be allowed to subtract from federal adjusted gross
income the greater of either the standard deduction allowed in subsection
(2) of this section or his or her federal itemized deductions as defined
in section 63(d) of the Internal Revenue Code of 1986, as amended, except
for the amount for state or local income taxes included in federal
itemized deductions before any federal disallowance.

Sec. 3. Original section 77-2716.01, Reissue Revised Statutes of
Nebraska, and section 77-2715.03, Revised Statutes Cumulative Supplement,
2016, are repealed.