

AMENDMENTS TO LB825

Introduced by Briese, 41.

1 1. Insert the following new section:

2 Sec. 3. Section 77-2734.02, Revised Statutes Supplement, 2021, is
3 amended to read:

4 77-2734.02 (1) Except as provided in subsection (2) of this section,
5 a tax is hereby imposed on the taxable income of every corporate taxpayer
6 that is doing business in this state:

7 (a) For taxable years beginning or deemed to begin before January 1,
8 2013, at a rate equal to one hundred fifty and eight-tenths percent of
9 the primary rate imposed on individuals under section 77-2701.01 on the
10 first one hundred thousand dollars of taxable income and at the rate of
11 two hundred eleven percent of such rate on all taxable income in excess
12 of one hundred thousand dollars. The resultant rates shall be rounded to
13 the nearest one hundredth of one percent;

14 (b) For taxable years beginning or deemed to begin on or after
15 January 1, 2013, and before January 1, 2022, at a rate equal to 5.58
16 percent on the first one hundred thousand dollars of taxable income and
17 at the rate of 7.81 percent on all taxable income in excess of one
18 hundred thousand dollars;

19 (c) For taxable years beginning or deemed to begin on or after
20 January 1, 2022, and before January 1, 2023, at a rate equal to 5.58
21 percent on the first one hundred thousand dollars of taxable income and
22 at the rate of 7.50 percent on all taxable income in excess of one
23 hundred thousand dollars;~~and~~

24 (d) For taxable years beginning or deemed to begin on or after
25 January 1, 2023, and before January 1, 2024, at a rate equal to 5.58
26 percent on the first one hundred thousand dollars of taxable income and
27 at the rate of 7.25 percent on all taxable income in excess of one

1 hundred thousand dollars; -

2 (e) For taxable years beginning or deemed to begin on or after
3 January 1, 2024, and before January 1, 2025, at a rate equal to 5.58
4 percent on the first one hundred thousand dollars of taxable income and
5 at the rate of 6.50 percent on all taxable income in excess of one
6 hundred thousand dollars;

7 (f) For taxable years beginning or deemed to begin on or after
8 January 1, 2025, and before January 1, 2026, at a rate equal to 5.58
9 percent on the first one hundred thousand dollars of taxable income and
10 at the rate of 6.24 percent on all taxable income in excess of one
11 hundred thousand dollars;

12 (g) For taxable years beginning or deemed to begin on or after
13 January 1, 2026, and before January 1, 2027, at a rate equal to 5.58
14 percent on the first one hundred thousand dollars of taxable income and
15 at the rate of 6.00 percent on all taxable income in excess of one
16 hundred thousand dollars; and

17 (h) For taxable years beginning or deemed to begin on or after
18 January 1, 2027, at a rate equal to 5.58 percent on the first one hundred
19 thousand dollars of taxable income and at the rate of 5.84 percent on all
20 taxable income in excess of one hundred thousand dollars.

21 ~~It is the intent of the Legislature to enact legislation after~~
22 ~~August 28, 2021, to lower the tax rate applicable to income in excess of~~
23 ~~one hundred thousand dollars to 7.00 percent for taxable years beginning~~
24 ~~or deemed to begin on or after January 1, 2024, and before January 1,~~
25 ~~2025, and to 6.84 percent for taxable years beginning or deemed to begin~~
26 ~~on or after January 1, 2025.~~

27 For corporate taxpayers with a fiscal year that does not coincide
28 with the calendar year, the individual rate used for this subsection
29 shall be the rate in effect on the first day, or the day deemed to be the
30 first day, of the taxable year.

31 (2) An insurance company shall be subject to taxation at the lesser

1 of the rate described in subsection (1) of this section or the rate of
2 tax imposed by the state or country in which the insurance company is
3 domiciled if the insurance company can establish to the satisfaction of
4 the Tax Commissioner that it is domiciled in a state or country other
5 than Nebraska that imposes on Nebraska domiciled insurance companies a
6 retaliatory tax against the tax described in subsection (1) of this
7 section.

8 (3) For a corporate taxpayer that is subject to tax in another
9 state, its taxable income shall be the portion of the taxpayer's federal
10 taxable income, as adjusted, that is determined to be connected with the
11 taxpayer's operations in this state pursuant to sections 77-2734.05 to
12 77-2734.15.

13 (4) Each corporate taxpayer shall file only one income tax return
14 for each taxable year.

15 2. Renumber the remaining sections and correct the repealer
16 accordingly.