

AMENDMENTS TO LB454

Introduced by Revenue.

1 1. Strike the original sections and insert the following new
2 sections:

3 Section 1. Sections 1 to 4 of this act shall be known and may be
4 cited as the School Property Tax Stabilization Act.

5 Sec. 2. (1) On or before September 15, 2021, the State Department
6 of Education shall determine the total school property tax stabilization
7 payment to be paid to each eligible school district for the 2021-22
8 school fiscal year. On or before June 30, 2022, and on or before June 30
9 of each year thereafter, the State Department of Education shall
10 determine the total school property tax stabilization payment to be paid
11 to each eligible school district for the ensuing school fiscal year.

12 (2) A school district is eligible for a school property tax
13 stabilization payment if the school district property tax requirement
14 exceeds:

15 (a) For school fiscal year 2021-22, seventy percent of the formula
16 need calculated for such school district;

17 (b) For school fiscal year 2022-23, sixty-five percent of the
18 formula need calculated for such school district;

19 (c) For school fiscal year 2023-24, sixty percent of the formula
20 need calculated for such school district; and

21 (d) For school fiscal year 2024-25 and each school fiscal year
22 thereafter, fifty-five percent of the formula need calculated for such
23 school district.

24 (3) The school district property tax requirement for each school
25 district shall equal the formula need calculated pursuant to section
26 79-1007.11 minus the sum of the amount to be distributed pursuant to the
27 Tax Equity and Educational Opportunities Support Act as certified

1 pursuant to section 79-1022 and other actual receipts as determined
2 pursuant to section 79-1018.01 for such school district for the school
3 fiscal year for which a total school property tax stabilization payment
4 is being calculated.

5 (4) The school property tax stabilization base for an eligible
6 school district shall equal the amount by which the school district
7 property tax requirement exceeds:

8 (a) For school fiscal year 2021-22, seventy percent of the formula
9 need calculated for such school district;

10 (b) For school fiscal year 2022-23, sixty-five percent of the
11 formula need calculated for such school district;

12 (c) For school fiscal year 2023-24, sixty percent of the formula
13 need calculated for such school district; and

14 (d) For school fiscal year 2024-25 and each school fiscal year
15 thereafter, fifty-five percent of the formula need calculated for such
16 school district.

17 (5) The total school property tax stabilization payment to be paid
18 to an eligible school district shall equal the school property tax
19 stabilization base for such school district multiplied by fifty percent.

20 Sec. 3. The total school property tax stabilization payment
21 calculated pursuant to section 2 of this act for each eligible school
22 district shall be certified to the Director of Administrative Services,
23 the Auditor of Public Accounts, and each school district. The amounts
24 certified pursuant to this section shall be divided and distributed in
25 ten as nearly as possible equal monthly school property tax stabilization
26 payments on the last business day of each month beginning in September of
27 the school fiscal year for which such school property tax stabilization
28 payments were certified and ending in June of such school fiscal year,
29 except that a school district that would receive monthly school property
30 tax stabilization payments of less than one thousand dollars shall
31 receive the total school property tax stabilization payment on the last

1 business day of December during such school fiscal year. The amounts
2 certified pursuant to this section shall be shown as budgeted non-
3 property-tax receipts and deducted prior to calculating the property tax
4 request in the school district's general fund budget statement as
5 provided to the Auditor of Public Accounts pursuant to section 79-1024.

6 Sec. 4. It is the intent of the Legislature to appropriate the
7 amount necessary to carry out the School Property Tax Stabilization Act
8 for each school fiscal year. It is also the intent of the Legislature to
9 fully fund the Tax Equity and Educational Opportunities Support Act
10 before funding the School Property Tax Stabilization Act.

11 Sec. 5. Section 79-1018.01, Revised Statutes Cumulative Supplement,
12 2020, is amended to read:

13 79-1018.01 Except as otherwise provided in this section, local
14 system formula resources include other actual receipts available for the
15 funding of general fund operating expenditures as determined by the
16 department for the second school fiscal year immediately preceding the
17 school fiscal year in which aid is to be paid. Other actual receipts
18 include:

19 (1) Public power district sales tax revenue;

20 (2) Fines and license fees;

21 (3) Tuition receipts from individuals, other districts, or any other
22 source except receipts derived from adult education, receipts derived
23 from summer school tuition, receipts derived from early childhood
24 education tuition, tuition receipts from converted contracts beginning
25 with the calculation of state aid to be distributed in school fiscal year
26 2011-12, and receipts from educational entities as defined in section
27 79-1201.01 for providing distance education courses through the
28 Educational Service Unit Coordinating Council to such educational
29 entities;

30 (4) Transportation receipts;

31 (5) Interest on investments;

1 (6) Other miscellaneous noncategorical local receipts, not including
2 receipts from private foundations, individuals, associations, or
3 charitable organizations;

4 (7) Special education receipts;

5 (8) Special education receipts and non-special education receipts
6 from the state for wards of the court and wards of the state;

7 (9) All receipts from the temporary school fund. Receipts from the
8 temporary school fund shall only include (a) receipts pursuant to section
9 79-1035 and (b) the receipt of funds pursuant to section 79-1036 for
10 property leased for a public purpose as set forth in subdivision (1)(a)
11 of section 77-202;

12 (10) Motor vehicle tax receipts received;

13 (11) Pro rata motor vehicle license fee receipts;

14 (12) Other miscellaneous state receipts excluding revenue from the
15 School Property Tax Stabilization Act and the textbook loan program
16 authorized by section 79-734;

17 (13) Impact aid entitlements for the school fiscal year which have
18 actually been received by the district to the extent allowed by federal
19 law;

20 (14) All other noncategorical federal receipts;

21 (15) Receipts under the federal Medicare Catastrophic Coverage Act
22 of 1988, as such act existed on January 1, 2014, as authorized pursuant
23 to sections 43-2510 and 43-2511 for services to school-age children,
24 excluding amounts designated as reimbursement for costs associated with
25 the implementation and administration of the billing system pursuant to
26 section 43-2511;

27 (16) Receipts for accelerated or differentiated curriculum programs
28 pursuant to sections 79-1106 to 79-1108.03; and

29 (17) Revenue received from the nameplate capacity tax distributed
30 pursuant to section 77-6204.

31 Sec. 6. Original section 79-1018.01, Revised Statutes Cumulative

1 Supplement, 2020, is repealed.