

AMENDMENTS TO LB1067

Introduced by Erdman, 47.

1 1. Strike original sections 8 to 12 and insert the following new
2 sections:

3 Sec. 8. Section 77-2004, Revised Statutes Cumulative Supplement,
4 2022, is amended to read:

5 77-2004 (1) In the case of a father, mother, grandfather,
6 grandmother, brother, sister, son, daughter, child or children legally
7 adopted as such in conformity with the laws of the state where adopted,
8 any lineal descendant, any lineal descendant legally adopted as such in
9 conformity with the laws of the state where adopted, any person to whom
10 the deceased for not less than ten years prior to death stood in the
11 acknowledged relation of a parent, or the spouse or surviving spouse of
12 any such persons, the rate of tax shall be:

13 (a) For decedents dying prior to January 1, 2023, one percent of the
14 clear market value of the property received by each person in excess of
15 forty thousand dollars;~~and~~

16 (b) For decedents dying on or after January 1, 2023, and before
17 January 1, 2025, one percent of the clear market value of the property
18 received by each person in excess of one hundred thousand dollars; and -

19 (c) For decedents dying on or after January 1, 2025, zero percent.

20 (2) Any interest in property, including any interest acquired in the
21 manner set forth in section 77-2002, which may be valued at a sum less
22 than or equal to the applicable exempt amount under subsection (1) of
23 this section shall not be subject to tax. In addition the homestead
24 allowance, exempt property, and family maintenance allowance shall not be
25 subject to tax. Interests passing to the surviving spouse by will, in the
26 manner set forth in section 77-2002, or in any other manner shall not be
27 subject to tax. Any interest passing to a person described in subsection

1 (1) of this section who is under twenty-two years of age shall not be
2 subject to tax.

3 Sec. 9. Section 77-2005, Revised Statutes Cumulative Supplement,
4 2022, is amended to read:

5 77-2005 (1) In the case of an uncle, aunt, niece, or nephew related
6 to the deceased by blood or legal adoption, or other lineal descendant of
7 the same, or the spouse or surviving spouse of any of such persons, the
8 rate of tax shall be:

9 (a) For decedents dying prior to January 1, 2023, thirteen percent
10 of the clear market value of the property received by each person in
11 excess of fifteen thousand dollars; ~~and~~

12 (b) For decedents dying on or after January 1, 2023, and before
13 January 1, 2025, eleven percent of the clear market value of the property
14 received by each person in excess of forty thousand dollars; and -

15 (c) For decedents dying on or after January 1, 2025, zero percent.

16 (2) If the clear market value of the beneficial interest is less
17 than or equal to the applicable exempt amount under subsection (1) of
18 this section, it shall not be subject to tax. In addition, any interest
19 passing to a person described in subsection (1) of this section who is
20 under twenty-two years of age shall not be subject to tax.

21 Sec. 10. Section 77-2006, Revised Statutes Cumulative Supplement,
22 2022, is amended to read:

23 77-2006 (1) In all other cases the rate of tax shall be:

24 (a) For decedents dying prior to January 1, 2023, eighteen percent
25 of the clear market value of the beneficial interests received by each
26 person in excess of ten thousand dollars; ~~and~~

27 (b) For decedents dying on or after January 1, 2023, and before
28 January 1, 2025, fifteen percent of the clear market value of the
29 beneficial interests received by each person in excess of twenty-five
30 thousand dollars; and -

31 (c) For decedents dying on or after January 1, 2025, zero percent.

1 (2) If the clear market value of the beneficial interest is less
2 than or equal to the applicable exempt amount under subsection (1) of
3 this section, it shall not be subject to any tax. In addition, any
4 interest passing to a person who is under twenty-two years of age shall
5 not be subject to tax.

6 Sec. 11. Section 77-2015, Revised Statutes Supplement, 2023, is
7 amended to read:

8 77-2015 (1)(a) (1) Each petitioner in a proceeding to determine
9 inheritance tax shall, upon the entry of an order determining inheritance
10 tax, if any, submit a report regarding inheritance taxes to the county
11 treasurer of each the county in which the inheritance tax is owed
12 determination was conducted. If such reported inheritance taxes are
13 changed or amended, the petitioner shall submit an amended report
14 regarding such changed or amended inheritance taxes to the county
15 treasurer of each county in which the inheritance taxes were changed or
16 amended. Such report or amended report shall be required for any decedent
17 dying prior to January 1, 2025. No inheritance tax may be paid or
18 refunded before the report or amended report, if required, is submitted.
19 In the event of noncompliance by the petitioner, the county treasurer or
20 county attorney of the county in which inheritance tax is owed may
21 complete the form in place of the petitioner.

22 (b) Until June 30, 2024, the The report or amended report shall be
23 submitted on a form prescribed by the Department of Revenue and shall
24 include the following information:

25 (i) (a) The amount of inheritance tax revenue generated under
26 section 77-2004 and the number of persons receiving property that was
27 subject to tax under section 77-2004 and on which inheritance tax was
28 assessed;

29 (ii) (b) The amount of inheritance tax revenue generated under
30 section 77-2005 and the number of persons receiving property that was
31 subject to tax under section 77-2005 and on which inheritance tax was

1 assessed;

2 (iii) ~~(c)~~ The amount of inheritance tax revenue generated under
3 section 77-2006 and the number of persons receiving property that was
4 subject to tax under section 77-2006 and on which inheritance tax was
5 assessed; and

6 (iv) ~~(d)~~ The number of persons who do not reside in this state and
7 who received any property that was subject to tax under section 77-2004,
8 77-2005, or 77-2006 and on which inheritance tax was assessed.

9 (c) Beginning July 1, 2024, the report or amended report shall be
10 submitted on a form prescribed by the Department of Revenue and shall
11 include the following information:

12 (i) The amount of inheritance tax paid under section 77-2004 and the
13 number of persons receiving property that was subject to tax under
14 section 77-2004 and on which inheritance tax was assessed;

15 (ii) The amount of inheritance tax paid under section 77-2005 and
16 the number of persons receiving property that was subject to tax under
17 section 77-2005 and on which inheritance tax was assessed;

18 (iii) The amount of inheritance tax paid under section 77-2006 and
19 the number of persons receiving property that was subject to tax under
20 section 77-2006 and on which inheritance tax was assessed; and

21 (iv) The number of persons who do not reside in this state and who
22 received any property that was subject to tax under section 77-2004,
23 77-2005, or 77-2006 and on which inheritance tax was assessed.

24 (2)(a) (2) The county treasurer of each county shall compile and
25 submit a report regarding inheritance taxes generated from January 1,
26 2023, through June 30, 2023, to the Department of Revenue on or before
27 August 1, 2023. ~~The Beginning July 1, 2023,~~ the county treasurer of each
28 county shall compile and submit a report regarding annual inheritance
29 taxes generated from July 1, 2023, of each year through June 30, 2024 of
30 the next year, to the Department of Revenue on or before August 1, 2024.
31 Beginning July 1, 2024, the county treasurer of each county shall compile

1 and submit a report regarding annual inheritance taxes paid from July 1
2 of each year through June 30 of the next year, to the Department of
3 Revenue on or before August 1, 2025, and on or before August 1 of each
4 year thereafter through the year 2026.

5 (b) Until June 30, 2024, the The reports shall be submitted on a
6 form prescribed by the Department of Revenue and shall include the
7 following information:

8 (i) (a) The amount of inheritance tax revenue generated under
9 section 77-2004 and the number of persons receiving property that was
10 subject to tax under section 77-2004 and on which inheritance tax was
11 assessed;

12 (ii) (b) The amount of inheritance tax revenue generated under
13 section 77-2005 and the number of persons receiving property that was
14 subject to tax under section 77-2005 and on which inheritance tax was
15 assessed;

16 (iii) (c) The amount of inheritance tax revenue generated under
17 section 77-2006 and the number of persons receiving property that was
18 subject to tax under section 77-2006 and on which inheritance tax was
19 assessed; and

20 (iv) (d) The number of persons who do not reside in this state and
21 who received any property that was subject to tax under section 77-2004,
22 77-2005, or 77-2006 and on which inheritance tax was assessed.

23 (c) Beginning July 1, 2024, the reports shall be submitted on a form
24 prescribed by the Department of Revenue and shall include the following
25 information:

26 (i) The amount of inheritance tax paid under section 77-2004 and the
27 number of persons receiving property that was subject to tax under
28 section 77-2004 and on which inheritance tax was assessed;

29 (ii) The amount of inheritance tax paid under section 77-2005 and
30 the number of persons receiving property that was subject to tax under
31 section 77-2005 and on which inheritance tax was assessed;

1 (iii) The amount of inheritance tax paid under section 77-2006 and
2 the number of persons receiving property that was subject to tax under
3 section 77-2006 and on which inheritance tax was assessed; and

4 (iv) The number of persons who do not reside in this state and who
5 received any property that was subject to tax under section 77-2004,
6 77-2005, or 77-2006 and on which inheritance tax was assessed.

7 (3) On or before September 1, 2023, and on or before September 1 of
8 each year thereafter through the year 2026, the Department of Revenue
9 shall compile and aggregate such treasurer reports received from each
10 county and make each county report and a statewide aggregate of such
11 county reports available to the public on the Department of Revenue's
12 website.

13 2. Renumber the remaining sections and correct the repealer
14 accordingly.