PREPARED BY: DATE PREPARED: PHONE: John Wiemer February 20, 2024 402-471-0051

LB 853

Revision: 00

FISCAL NOTE

LEGISLATIVE FISCAL ANALYST ESTIMATE

ESTIMATE OF FISCAL IMPACT – STATE AGENCIES (See narrative for political subdivision estimates)								
	FY 2024-25 FY 2025-26							
	EXPENDITURES	REVENUE	EXPENDITURES REVENUE					
GENERAL FUNDS	\$144,099		\$117,025,600					
CASH FUNDS								
FEDERAL FUNDS								
OTHER FUNDS								
TOTAL FUNDS	\$144,099		\$117,025,600					

Any Fiscal Notes received from state agencies and political subdivisions are attached following the Legislative Fiscal Analyst Estimate.

LB 853 would make changes to the Homestead Exemption Program.

The bill would make changes so that the exempt amount, for purposes of section 77-3507 and 77-3508, would be the lesser of the taxable value of the homestead or 350% of the average assessed value of single-family residential property in the county or \$300,000, whichever is greater.

The bill would add as of January 1, 2025, homestead exemptions connected to veterans who are disabled but less than 100% disabled due to a service-connected disability. The exempt amount would be an amount equal to the exempt amount multiplied by the disability percentage of the veteran.

The bill would change income limits and exempt amounts under sections 77-3507 and 77-3508 starting in 2024 to make the exemption 100% of the exempt amount for a qualified married or closely related claimant if the claimant's household income is \$75,000 or less and for a qualified single claimant if the claimant's household income is \$60,000 or less. The income amounts would be adjusted based on the Consumer Price Index.

The bill outright repeals provisions that decrease exemption amounts based on maximum value.

The bill contains the emergency clause.

The Department of Revenue (DOR) estimates the following increases to General Fund expenditures for the Homestead Program:

- FY 24-25: \$0
- FY 25-26: \$116,943,000
- FY 26-27: \$123,960,000
- FY 27-28: \$131,398,000

The DOR also estimates a need for a one-time charge of \$56,499 to modify the homestead exemption percentage and a need for a Revenue Tax Specialist starting in FY25 to implement the bill.

There is no basis to disagree with these estimates. However, the DOR does not assume any salary or benefits increases for FY25-26 and FY26-27 for the additional personnel needed pursuant to this bill's provisions. While the actual salary and health insurance increases for FY25-26 and thereafter are not yet determined, it is important to note that any additional personnel in FY24-25 will have ongoing rising costs associated with salary and health insurance increases, which are normally addressed in the biennial budget process for all bargaining and non-bargaining employees.

Political subdivisions are estimated to be reimbursed by the state for property tax losses as a result of this bill. Local governments may need additional staff for the additional applications for homestead exemptions that are expected as a result of this bill.

ADMINI	STRATIVE SERVI	CES STATE BUDGET DIVISION: REVIEW	OF AGENCY & POLT. SUB. RESPONSE		
LB: 853	LB: 853 AM: AGENCY/POLT. SUB: Department of Revenue				
REVIEWED BY: Neil Sullivan DATE: 2/20/2024 PHONE: (402) 471-4179					
COMMENTS: The Department of Revenue assessment of fiscal impact from LB 853 appears reasonable.					

ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE						
LB: 853 AM: AGENCY/POLT. SUB: Department of Health & Human Services						
REVIEWED E	BY: Neil Sullivan	DATE: 2/20/2024	PHONE: (402) 471-4179			
COMMENTS: The Department of Health & Human Services assessment of no fiscal impact from LB 853 appears reasonable.						

ADMI	NISTRATIVE SERVIC	ES STATE BUDGET DIVISION: REVIEW	V OF AGENCY & POLT. SUB. RESPONSE			
LB: 853	AM:	AGENCY/POLT. SUB: Departr	ment of Veterans Affairs			
REVIEWED	BY: Neil Sullivan	DATE: 2/20/2024	PHONE: (402) 471-4179			
COMMENTS: The Department of Veterans Affairs assessment of no fiscal impact from LB 853 appears reasonable.						

ADMINIS	TRATIVE SERVI	CES STATE BUDGET DIVISION: REVIEW	/ OF AGENCY & POLT. SUB. RESPONSE		
LB: 853	AM:	AGENCY/POLT. SUB: Douglas	County Assessor		
REVIEWED BY	: Neil Sullivan	DATE: 2/20/2024	PHONE: (402) 471-4179		
COMMENTS: No basis to disagree with the Douglas County Assessor assessment of reimbursed fiscal impact from LB 853.					

ADM	INISTRATIVE SERVIC	ES STATE BUDGET DIVISION: REVIEW	/ OF AGENCY & POLT. SUB. RESPONSE			
LB: 853	LB: 853 AM: AGENCY/POLT. SUB: Lancaster County					
REVIEWE	D BY: Neil Sullivan	DATE: 2/20/2024	PHONE: (402) 471-4179			
COMMENTS: No basis to disagree with the Lancaster County assessment of no fiscal impact and unquantified revenue impact from LB 853.						

ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE							
LB: 853 AM: AGENCY/POLT. SUB: Nebraska Association of County Officials							
REVIEWED	BY: Neil Sullivan	DATE: 2/20/2024	PHONE: (402) 471-4179				
COMMENTS: No basis to disagree with the Nebraska Association of County Officials assessment of minimal administrative impact from LB 853.							

LB 853 Fiscal Note 2024

		State Agency	Estimate			
State Agency Name: Department of	of Revenue				Date Due LFO:	
Approved by: James R. Kamm		Date Prepared:	02/16/2024		Phone: 471-5896	
	FY 2024	FY 2024-2025		<u>-2026</u>	FY 2026-2027	
	Expenditures	Revenue	Expenditures	Revenue	Expenditures	Revenue
General Funds	\$144,099		\$117,025,600		\$124,042,600	
Cash Funds						
Federal Funds						
Other Funds						
Total Funds	\$144,099		\$117,025,600		\$124,042,600	

LB 853 modifies the Homestead Exemption program by moving from a homestead exemption percentage based on income to an all-or-nothing income threshold amount for single claimants and married claimants.

Currently, applicants who are 65 years of age or older or who meet certain disability requirements qualify for a homestead exemption for a percentage from 0% to 100% depending upon their household income. LB 853 would change it to an all-or-nothing income threshold amount where single claimants with an income of \$60,000 or less and married claimants with an income of \$75,000 or less qualify for a 100% homestead exemption.

LB 853 also effectively eliminates the limits placed on an applicant's homestead value by significantly increasing those limits from 100% to 350% of average county assessed value for those applicants 65 years of age and old and from 120% to 350% of average county assessed value for certain disabled individuals.

Further, LB 853 adds a new category for homestead exemption, veterans who are less than 100% disabled due to a service-connected disability. The exemption amount is an amount equal to the exempt amount multiplied by the disability percentage of the veteran.

In summary, this bill would allow many more Nebraskans to apply for and receive homestead exemptions due to increases in income limitations and the addition of a new category for permanently disabled veterans who are under a 100% disability rating.

Department of Revenue (DOR) used current homestead data, Public Use Microdata Sample (PUMS) data from census and the Compensation and Pension by county 2019 report published by the U.S. Department of Veterans Affair to run simulation on the homestead data and estimated the increase in homestead expenditure under LB 853. DOR estimates that LB 853 will have the following impact on the General Fund expenditures:

Major Objects of Expenditure								
Class Code A29621	Classification Title Revenue Tax Specialist	24-25 <u>FTE</u> 1.0	25-26 <u>FTE</u> 1.0	26-27 <u>FTE</u> 1.0	24-25 <u>Expenditures</u> \$62.100	25-26 <u>Expenditures</u> \$62,100	26-27 <u>Expenditures</u> \$62,100	
112,021	TO THE PROPERTY OF THE PROPERT	110	110	1.0	ψ02,100	\$0 2 ,100	\$02,100	
Benefits					\$20,500	\$20,500	\$20,500	
Operating Costs					\$56,499	\$20,500	\$20,300	
					\$5,000			
Capital Improvement	ents				4.7	#0 2 coo	#0 2 (00	
Total		•••••	•••••		\$144,099	\$82,600	\$82,600	

Fiscal Year	General Fund Expenditures		
FY2024-25	\$	-	
FY2025-26	\$	116,943,000	
FY2026-27	\$	123,960,000	
FY2027-28	\$	131,398,000	

LB 853 will require a one-time charge of \$56,499 to modify the homestead exemption percentage. In addition, DOR will need to hire 1.0 FTE tax specialist starting with FY2024-25 to implement this bill.

This bill contains an emergency clause and becomes law upon enactment.

LB₍₁₎ <u>853</u> FISCAL NOTE 2024

	ESTIMATE DEOVIE	DED BY STATE AGENCY OR	POLITICAL S	SUBDIVISION	
State Agency or Political Su				JOBBI VIOLOIT	
					(5) 474 0740
Prepared by: (3) John Meals	Date Prepa	red 1-25-2024		Phone:	(5) 471-6719
	FY 2024	<u>-2025</u>		FY 2025-2026	ì
<u>-</u>	EXPENDITURES	REVENUE	EXPE	NDITURES	REVENUE
GENERAL FUNDS					
CASH FUNDS					-
FEDERAL FUNDS					
OTHER FUNDS					
TOTAL FUNDS	\$0	\$0		\$0	\$0
=	Ψ	ΨΟ		ΨΟ	Ψ0
Return by date specified or 72 h	nours prior to public hearing	whichever is earlier			
Explanation of Estima		William Control Control			
Explanation of Edima					
There is no fiscal impa	act to the Department	of Health and Human	Services.		
	M	AJOR OBJECTS OF EXPENDIT	URE		
PERSONAL SERVICES:		NUMBER OF	POSITIONS	2024-2025	2025-2026
F	POSITION TITLE	24-25	25-26	EXPENDITURES	EXPENDITURES
Benefits					
Operating					
Travel					
Capital Outlay					
Aid					_

\$0

\$0

LB ⁽¹⁾ 853							FISCAL NOT	
State A	gency OR Po	litical Subdivision I	Name: ⁽²⁾	Nebras	ka Depart	ment of Veteran	ıs Affairs (NI	OVA)
Prepar	ed by: ⁽³⁾	Nicole S Zimme	ermann	Date F	Prepared: (4)	1/4/2024	Phone: ⁽⁵⁾	531-220-1433
		ESTIMATE	PROVIDED E	BY STATE AG	ENCY OR POL	ITICAL SUBDIVISION		
				2024-25			FY 2025-	26
		EXPE	<u>F1</u> NDITURES		REVENUE	EXPENDIT		<u>REVENUE</u>
GENER	AL FUNDS			_				
CASH F	UNDS			<u> </u>				
FEDERA	AL FUNDS					_		
OTHER	FUNDS					_		
TOTAL	FUNDS							
Explan	ation of Est	imate:						
"No Fi	scal Impac	t"						
LB 853	does not	have any fiscal	impact for	Nebraska D	epartment o	of Veterans Affairs.		
Darson	al Services:		BREAK	DOWN BY M	AJOR OBJEC	IS OF EXPENDITURE		
reison	ai Sei vices.			NUMBER O	F POSITIONS	2024-	25	2025-26
	POSI	TION TITLE		<u>24-25</u>	<u>25-26</u>	EXPENDIT	<u>rures</u>	EXPENDITURES
						_		
Benefit	ts							
Travel.								
Capital	outlay							
		ents						
TOT	TAL							

FISCAL NOTE LB⁽¹⁾ 853 REVISED Douglas County Assessor/Register of Deeds State Agency OR Political Subdivision Name: (2) Prepared by: (3) Michael Goodwillie Date Prepared: (4) (1/11/2024 Phone: (5) (402) 444-6703 ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION FY 2024-25 FY 2025-26 **REVENUE EXPENDITURES EXPENDITURES REVENUE GENERAL FUNDS** \$93,100.80 \$95,428.32 CASH FUNDS FEDERAL FUNDS OTHER FUNDS TOTAL FUNDS \$93,100.80 \$95,428.32

Explanation of Estimate:

LB 853 would make very significant changes to the homestead exemption program, adding additional recipients, more value, and a greater tax loss to be reimbursed by the state to local political subdivisions. It:

- --Raises the exempt amount for homestead exemption for all classes that are not veterans with 100% permanent disability that is service-connected to 350% of the average value of a single-family residential home in the county. This past year, the average value of a single-family home in Douglas County was \$253,990, so under this bill, the exempt amount could be up to \$888,965. That said, I initially thought that the author of the bill left section 77-3505.02 in place. That section provides a maximum value for eligibility purposes of 200% of the single-family home value for the over-65 class and 225% of that value for those who are disabled. Conceptually, 77-3505.02 caps eligibility and then the current exempt amounts of 100% (seniors) and 120% (disabled) work within those eligibility requirements. But a closer reading of the bill indicates that the maximum value for eligibility sections were repealed. Meaning that yes, a property valued up to almost \$889,000 could be exempt from property taxes. Currently, for seniors (the amount is a bit higher for those with disabilities), the exemption tops out at 100% of the average value of a single-family dwelling. In Douglas County, for 2023, that amount was \$253,990. Obviously, if the bill were to pass, the increased exemption amount would exempt more value, increase the "tax loss" for local political subdivisions, and increase the amount that the state reimburses those political subdivisions. (Currently, the entire homestead property tax loss to local political subdivisions is reimbursed out of the state's general fund.)
- --It provides for a percentage exemption for those veterans with a permanent service connected disability that is less than 100% in the amount of their disability percentage. So, a person with a 70% disability would receive a 70% exemption. This would be applied no matter the value of the home the same as for the 100% service-connected disability veterans.
- --It changes the rules regarding income limits. Currently, there is a sliding scale of income that phases out the exemption on a percentage basis as income increases. Those go away as does the concept of percentage exemptions based on income. Instead, an applicant would get the full exemption if household income was \$75,000 or less for married or closely related claimants and \$60,000 or less for single taxpayers. Those amounts would get adjusted each year for cost of living. For some perspective, for married households, 100% exemption, based on income topped out at \$38,900.99 and the top amount before a married applicant is completely out of the program is \$57,700.99.
- --The bill has an emergency clause, which is troubling from an administrative standpoint. The session ends in mid-April, right in the middle of homestead season. (Applications are filed between February 1 and June 30) I'm not sure how, administratively, you manage a sea change in terms of eligibility (adding a new class of

partially disabled applicants and changing the eligibility rules based on income) in mid-season.

In looking at the impact of the changes, the big picture relates to more recipients, more value exempt from tax, and a greater tax loss that would come from the State of Nebraska to the local political subdivisions that levy property taxes in Douglas County.

The change in the exempt amount would look like this: Currently, there are 139,998 single-family dwellings in Douglas County with an assessed value of \$889,000 or less, the new exempt amount under LB 853. (We used properties where the owner mailing address and property address were the same to try to eliminate rental properties.) Using preliminary values for 2024, those 139,998 homes represent \$37,277,687,865 in assessed value. Now, under LB 853, homestead would still be limited to seniors, people with certain disabilities, and certain categories of veterans, their widows/widowers, and remarried widows/widowers who remarry after the age of 57. But, using U.S. Census data, seniors represent 14.3% of the population in Douglas County. Applying that percentage to the number of houses and value amounts described above, for seniors there may be up to 20,019 eligible applicants for homestead exemption, with a value of and receive exemptions that represent up to \$5,330,709,293 in value. Multiplied by a tax rate of 2.25% is \$119,940,959 in potential tax loss to local political subdivisions. That said, clearly not all of those potential seniors would qualify—the bill still does have income limits (albeit much higher than those currently in place), and not all of those single-family homes are owner-occupied. But it is undeniable that increasing the amount of the exemption will result in a greater tax loss. (For perspective, the tax loss due to homestead for 2023 was \$40,914,046.)

The change to the income requirements will result in more people qualifying for homestead and the amount of exemption (and tax loss). Raising the income limit to \$75,000 for married households almost doubles the income amount that qualified an applicant for a full exemption last year. The Department of Revenue denied 713 applications for homestead based on income in Douglas County. We do not know how many of those denied applications had incomes of less than the new income parameters of LB 853. We also do not know how many people whose income was too high for homestead exemption last year but whose income would meet the requirements of LB 853 did not apply at all. (People can look at our website and see the income chart that the Department of Revenue prepares each year and know whether they would qualify or not based on their previous year's income.) We also know that we had 11,468 properties total in the homestead exemption program. Of those, 3,830 were "partial qualifiers" based on their income, meaning that their income was too high for a full exemption but not so high that they didn't qualify for between a 90% and 10% exemption. With the new income requirements of LB 853, those would all be full qualifiers. For this latter group, if you use the average value of a single-family home in Douglas County last year (\$253,990) as your benchmark, and use an exemption qualification percentage of 50%, the exempt amount last year was \$486,390,850. Since each member of this class would be a full qualifier under the new income standard, that exempt amount for those applicants would double, representing \$972,781,700 in value. A 2.25% tax rate applied to the additional \$486,390,850 in exempt value would result in a tax loss (and state reimbursement amount) of \$10,943,794. If you add some portion of the 713 denied last year based on income, that tax loss becomes more, and if you operate under the assumption that there will be people who did not apply in previous years because of their income who now will, that tax loss becomes greater still.

According to the Douglas County Veterans Services Office, 7,363 veterans in Douglas County rated at less than 100% disability. We don't know if all of them are owner-occupants as defined by the Homestead Exemption statutes and because of that we don't know how much value would be exempt and how large the "tax loss" reimbursed by the state to local political subdivisions would be. That 7000+ number is the outer edge of potential applicants of that class. Last year, the average single-family dwelling in Douglas County had a value of \$253,990. Hypothetically, if 1,000 people from this class applied and owned a house worth the average value amount, that represents \$253,990,000 in value. Multiplied by a 2.25% tax rate (on the low side in Douglas County), that represents \$5,587,780 in property taxes. Because the people in this class would be percentage qualifiers, based on their disability percentage, the tax loss would be something less than that. Without any empirical basis, if you just said that the average disability rating was 50%, you would have a tax loss for this class of \$2,793,890. Under current law, the State of Nebraska would reimburse the local political subdivisions for that tax loss. Generally, Douglas County represents between 25 and 30% of the homestead tax loss statewide. This added class could add somewhere in the neighborhood of \$11,000,000 to the state reimbursement amount. I realize that these are, at best, somewhat educated guesses because there are

pieces related to the home ownership and value of those homes for people in this class that we simply don't know. But there certainly would be an uptick in applicants, the amount of tax loss, and the amount the state would need to reimburse political subdivisions.

In looking at the increase in potentially eligible homestead recipients, there would be an immediate need in our office for additional staffing, because the bill has an emergency clause. Although it is impossible to estimate how many additional application LB 853 would generate (you are trying to anticipate how many people who were not previously in the applicant pool would now apply for exemption), conservatively we think you would be looking at several thousand new applicants. Because there is an emergency clause, they would begin coming in this spring. That many new applicants would require at least two new staff members. If there are more applicants than that, potentially there could be more staff required. Providing an exemption of up to the full "maximum value" (in excess of \$500,000 in Douglas County) for married seniors with a household income of \$75,000 (\$60,000 for singles), plus another class of veterans will significantly add to the pool of applicants, necessitating additional administrative costs.

Although not a cost to this office or even an immediate cost to the county and the other local political subdivisions located here, these changes will undoubtedly add to the homestead tax loss that is reimbursed by the State of Nebraska. A conservative estimate of the additional tax loss for just the new veteran class and the uptick in the amount of value exempted, could result in a tax loss of \$10,000,000. Add new applicants because of the increased income limits, and that amount could double, to \$20,000,000. With the newer, higher exemption amounts, the tax loss will climb higher still—given that the potential pool of exempt value multiplied by a representative tax rate is in excess of \$119,000,000—with all of these factors in play, it may not be unreasonable to see the tax loss in Douglas County, reimbursed by the state would double from just under \$41,000,000 to over \$80,000,000. Multiply that by four and you might get an idea of what the statewide increased reimbursement would be.

BREAKD	OWN BY MA.	JOR OBJECTS O	F EXPENDITURE	
Personal Services:				
	NUMBER OF POSITIONS		2024-25	2025-26
POSITION TITLE	<u>24-25</u>	<u>25-26</u>	EXPENDITURES	EXPENDITURES
Assessor Support Tech	2	2	93,100.80	95,428.32
Benefits				
Operating	••			
Travel				
Capital outlay				
Aid				
Capital improvements				
TOTAL			93,100.80	95.428.32

LB ⁽¹⁾ 853			FISCAL NOTE
State Agency OR Political Subdivision Name: (2	Lancaster County		
Prepared by: (3) Dennis Meyer	Date Prepared: (4)	1-10-24 Phone:	(5) 402-441-6869
ESTIMATE PROV	VIDED BY STATE AGEN	NCY OR POLITICAL SUBDI	VISION
<u>EXPENDITURE</u>	<u>Y 2024-25</u> S <u>REVENUE</u>	EXPENDITURES	<u>025-26</u> <u>REVENUE</u>
GENERAL FUNDS		 	
CASH FUNDS	_		
FEDERAL FUNDS	<u> </u>	-	
	_		
OTHER FUNDS			
TOTAL FUNDS	_		
Explanation of Estimate:			
PDEAVDO	WN DV MA IOD ODJECT	CC OF EVDENDITUDE	
Personal Services:	WN BY MAJOR OBJECT	IS OF EXPENDITURE	
POSITION TITLE	NUMBER OF POSITION <u>24-25</u> <u>25-26</u>	S 2024-25 EXPENDITURES	2025-26 EXPENDITURES
Benefits			
Operating			
Travel			
Capital outlay			
Aid			
Capital improvements			
TOTAL		_	

LB ⁽¹⁾	853						FISCAL NOTE		
State Agency OR Political Subdivision Name: (2)			Lancast	Lancaster County Assessor/Register of Deeds					
Prepared	by: (3)	Dan Nolte	Date P	repared: ⁽⁴⁾	01/04/2024	Phone: (5)	402-441-7463		
		ESTIMATE PRO	VIDED BY ST	TATE AGE	NCY OR POLITIC	AL SUBDIVIS	ION		
		T	Y 2024-25			FY 2025-26			
		<u>EXPENDITUR</u>		<u></u>		TURES	REVENUE		
GENERA	L FUNI	OS	<u></u>						
CASH FU	NDS	-							
FEDERA	L FUNI	os	<u> </u>						
OTHER E	FUNDS								
TOTAL F									
TOTAL	CNDS								
Explanati		stimate: egislation appears to h		. ,					
D	C		OWN BY MAJ	OR OBJECT	TS OF EXPENDIT	<u>rure</u>			
rersonar	Personal Services:		NUMBER OF POSITIONS		S 2024-	25	2025-26		
	POSITI	ON TITLE	<u>24-25</u>	<u>25-26</u>	<u>EXPENDI</u>	<u>TURES</u>	EXPENDITURES		
				-	_				
D C.									
		nents							

LB (1)	853					FISCAL NOTE		
State Agency OR Political Subdivision Name: (2)			Nebraska Association of County Officials (NACO)					
Prepare	ed by: ⁽³⁾	Elaine Menzel	Date Prepared: (4)	1/9/2024	Phone: (5)	402.434.5660		
		ESTIMATE PROV	IDED BY STATE AGE	NCY OR POLITICAL S	<u>SUBDIVIS</u>	SION		
		FY	2024-25	FY 2025-26				
		EXPENDITURES	<u>REVENUE</u>	EXPENDITUR	<u>ES</u>	<u>REVENUE</u>		
GENER	RAL FUN	DS	·					
CASH F	FUNDS			_				
FEDER	AL FUN	DS						
OTHER	R FUNDS							
TOTAL	L FUNDS				<u> </u>			
Explana	ntion of E	stimate:			_			
exemp	tion prog ed claima	40,000 to \$300,000 which gram would be made increants would result in an unards of equalization. The	easing the pool of elight known number of add	gible qualified claima ditional claims to prod	nts. Such	increase in		
	10		VN BY MAJOR OBJEC	rs of expenditur	<u>E</u>			
Persona	ıl Service		UMBER OF POSITION	S 2024-25		2025-26		
	POSIT	ION TITLE	<u>24-25</u> <u>25-26</u>	EXPENDITUE	<u>KES</u>	EXPENDITURES		
Benefits	s				<u> </u>			
Operati	ng							
Travel.								
Capital	outlay							
_	_	nents						
TO	ΓAL							