

LEGISLATURE OF NEBRASKA
ONE HUNDRED NINTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 1067

Introduced by Hallstrom, 1; McKinney, 11.

Read first time January 14, 2026

Committee:

1 A BILL FOR AN ACT relating to revenue and taxation; to amend section
2 81-1230, Reissue Revised Statutes of Nebraska, section 58-703,
3 Revised Statutes Cumulative Supplement, 2024, and sections 76-901,
4 76-903, 77-1327, and 81-1239, Revised Statutes Supplement, 2025; to
5 change provisions relating to the Affordable Housing Trust Fund, the
6 rate and disbursement of the documentary stamp tax, the Rural
7 Workforce Housing Investment Fund, and the Middle Income Workforce
8 Housing Investment Fund; to harmonize provisions; and to repeal the
9 original sections.

10 Be it enacted by the people of the State of Nebraska,

1 **Section 1.** Section 58-703, Revised Statutes Cumulative Supplement,
2 2024, is amended to read:

3 58-703 The Affordable Housing Trust Fund is created. The fund shall
4 receive money pursuant to section 76-903 and may include revenue from
5 sources recommended by the housing advisory committee established in
6 section 58-704, appropriations from the Legislature, transfers authorized
7 by the Legislature, grants, private contributions, repayment of loans,
8 and all other sources. The Department of Economic Development as part of
9 its comprehensive housing affordability strategy shall administer the
10 Affordable Housing Trust Fund.

11 ~~Transfers may be made from the Affordable Housing Trust Fund to the~~
12 ~~General Fund, the Behavioral Health Services Fund, the Lead-Based Paint~~
13 ~~Hazard Control Cash Fund, the Middle Income Workforce Housing Investment~~
14 ~~Fund, the Rural Workforce Housing Investment Fund, and the Site and~~
15 ~~Building Development Fund at the direction of the Legislature.~~

16 **Sec. 2.** Section 76-901, Revised Statutes Supplement, 2025, is
17 amended to read:

18 76-901 There is hereby imposed a tax on the grantor executing the
19 deed as defined in section 76-203 upon the transfer of a beneficial
20 interest in or legal title to real estate at the rate of three ~~two~~
21 dollars and eighty-two ~~thirty-two~~ cents for each one thousand dollars
22 value or fraction thereof. For purposes of sections 76-901 to 76-908,
23 value means (1) in the case of any deed, not a gift, the amount of the
24 full actual consideration thereof, paid or to be paid, including the
25 amount of any lien or liens assumed, and (2) in the case of a gift or any
26 deed with nominal consideration or without stated consideration, the
27 current market value of the property transferred. Such tax shall be
28 evidenced by stamps to be attached to the deed. All deeds purporting to
29 transfer legal title or beneficial interest shall be presumed taxable
30 unless it clearly appears on the face of the deed or sufficient
31 documentary proof is presented to the register of deeds that the

1 instrument is exempt under section 76-902.

2 **Sec. 3.** Section 76-903, Revised Statutes Supplement, 2025, is
3 amended to read:

4 76-903 The Tax Commissioner shall design such stamps in such
5 denominations as in his or her judgment will be the most advantageous to
6 all persons concerned. When any deed subject to the tax imposed by
7 section 76-901 is offered for recordation, the register of deeds shall
8 ascertain and compute the amount of the tax due thereon and shall collect
9 such amount as a prerequisite to acceptance of the deed for recordation.
10 If a dispute arises concerning the taxability of the transfer, the
11 register of deeds shall not record the deed until the disputed tax is
12 paid. If a disputed tax has been paid, the taxpayer may file for a refund
13 pursuant to section 76-908. The taxpayer may also seek a declaratory
14 ruling pursuant to rules and regulations adopted and promulgated by the
15 Department of Revenue. From each three two dollars and eighty-two thirty-
16 two cents of tax collected pursuant to section 76-901, the register of
17 deeds shall retain fifty cents to be placed in the county general fund
18 and shall remit the balance to the State Treasurer who shall credit
19 ninety-five cents of such amount to the Affordable Housing Trust Fund,
20 twenty-five cents of such amount to the Site and Building Development
21 Fund, twenty-five cents of such amount to the Homeless Shelter Assistance
22 Trust Fund, thirty cents of such amount to the Behavioral Health Services
23 Fund, and seven cents of such amount to the Domestic Violence and Sex
24 Trafficking Survivor Housing Assistance Fund, seventy-five cents of such
25 amount to the Rural Workforce Housing Investment Fund, and seventy-five
26 cents of such amount to the Middle Income Workforce Housing Investment
27 Fund. Except as provided in subsection (6) of section 81-1230, subsection
28 (3) of section 81-1231, subsection (6) of section 81-1239, and subsection
29 (3) of section 81-1240, any money remitted to the State Treasurer under
30 this section shall only be used to credit the funds described in this
31 section and any purpose authorized by the funds such money is credited to

1 and shall not be used for any other purpose.

2 **Sec. 4.** Section 77-1327, Revised Statutes Supplement, 2025, is
3 amended to read:

4 77-1327 (1) It is the intent of the Legislature that accurate and
5 comprehensive information be developed by the Property Tax Administrator
6 and made accessible to the taxing officials and property owners in order
7 to ensure the uniformity and proportionality of the assessments of real
8 property valuations in the state in accordance with law and to provide
9 the statistical and narrative reports pursuant to section 77-5027.

10 (2) All transactions of real property for which the statement
11 required in section 76-214 is filed shall be available for development of
12 a sales file by the Property Tax Administrator. All transactions with
13 stated consideration of more than one hundred dollars or upon which more
14 than three two dollars and eighty-two thirty-two cents in documentary
15 stamp taxes are paid shall be considered sales. All sales shall be deemed
16 to be arm's length transactions unless determined to be otherwise under
17 professionally accepted mass appraisal techniques. The Department of
18 Revenue shall not overturn a determination made by a county assessor
19 regarding the qualification of a sale unless the department reviews the
20 sale and determines through the review that the determination made by the
21 county assessor is incorrect.

22 (3) The Property Tax Administrator annually shall make and issue
23 comprehensive assessment ratio studies of the average level of
24 assessment, the degree of assessment uniformity, and the overall
25 compliance with assessment requirements for each major class of real
26 property subject to the property tax in each county. The comprehensive
27 assessment ratio studies shall be developed in compliance with
28 professionally accepted mass appraisal techniques and shall employ such
29 statistical analysis as deemed appropriate by the Property Tax
30 Administrator, including measures of central tendency and dispersion. The
31 comprehensive assessment ratio studies shall be based upon the sales file

1 as developed in subsection (2) of this section and shall be used by the
2 Property Tax Administrator for the analysis of the level of value and
3 quality of assessment for purposes of section 77-5027 and by the Property
4 Tax Administrator in establishing the adjusted valuations required by
5 section 79-1016. Such studies may also be used by assessing officials in
6 establishing assessed valuations.

7 (4) For purposes of determining the level of value of agricultural
8 and horticultural land subject to special valuation under sections
9 77-1343 to 77-1347.01, the Property Tax Administrator shall annually make
10 and issue a comprehensive study developed in compliance with
11 professionally accepted mass appraisal techniques to establish the level
12 of value if in his or her opinion the level of value cannot be developed
13 through the use of the comprehensive assessment ratio studies developed
14 in subsection (3) of this section.

15 (5) County assessors and other taxing officials shall electronically
16 report data on the assessed valuation and other features of the property
17 assessment process for such periods and in such form and content as the
18 Property Tax Administrator shall deem appropriate. The Property Tax
19 Administrator shall so construct and maintain the system used to collect
20 and analyze the data to enable him or her to make intracounty comparisons
21 of assessed valuation, including school districts and other political
22 subdivisions, as well as intercounty comparisons of assessed valuation,
23 including school districts and other political subdivisions. The Property
24 Tax Administrator shall include analysis of real property sales pursuant
25 to land contracts and similar transfers at the time of execution of the
26 contract or similar transfer.

27 **Sec. 5.** Section 81-1230, Reissue Revised Statutes of Nebraska, is
28 amended to read:

29 81-1230 (1) The Rural Workforce Housing Investment Fund is created.
30 Funding for the grant program described in section 81-1229 shall come
31 from the Rural Workforce Housing Investment Fund. The Rural Workforce

1 Housing Investment Fund shall receive money pursuant to section 76-903
2 and may include revenue from appropriations from the Legislature, grants,
3 private contributions, and other sources. In addition, the State
4 Treasurer shall make a one-time transfer of seven million three hundred
5 thousand dollars on or before October 1, 2017, from the Affordable
6 Housing Trust Fund to the Rural Workforce Housing Investment Fund. Any
7 money in the Rural Workforce Housing Investment Fund available for
8 investment shall be invested by the state investment officer pursuant to
9 the Nebraska Capital Expansion Act and the Nebraska State Funds
10 Investment Act.

11 (2) The department shall administer the Rural Workforce Housing
12 Investment Fund and may seek additional private or nonstate funds to use
13 in the grant program, including, but not limited to, contributions from
14 the Nebraska Investment Finance Authority and other interested parties.

15 (3) Interest earned by the department on grant funds shall be
16 applied to the grant program.

17 (4) If a nonprofit development organization fails to engage in the
18 initial qualified activity within twenty-four months after receiving
19 initial grant funding, the nonprofit development organization shall
20 return the grant funds to the department for credit to the General Fund.

21 (5) If a nonprofit development organization fails to allocate any
22 remaining initial grant funding on a qualified activity within twenty-
23 four months after engaging in the initial qualified activity, the
24 nonprofit development organization shall return such unallocated grant
25 funds to the department for credit to the Rural Workforce Housing
26 Investment Fund.

27 (6) Beginning July 1, 2027, any funds held by the department in the
28 Rural Workforce Housing Investment Fund shall be transferred to the
29 General Fund.

30 **Sec. 6.** Section 81-1239, Revised Statutes Supplement, 2025, is
31 amended to read:

1 81-1239 (1) The Middle Income Workforce Housing Investment Fund is
2 created. Funding for the grant program described in section 81-1238 shall
3 come from the Middle Income Workforce Housing Investment Fund. The Middle
4 Income Workforce Housing Investment Fund shall receive money pursuant to
5 section 76-903 and may include revenue transferred at the direction of
6 the Legislature, grants, private contributions, and other sources. Any
7 money in the Middle Income Workforce Housing Investment Fund available
8 for investment shall be invested by the state investment officer pursuant
9 to the Nebraska Capital Expansion Act and the Nebraska State Funds
10 Investment Act.

11 (2) The department shall establish a subaccount within the Middle
12 Income Workforce Housing Investment Fund that shall be used to fund
13 affordable housing and related land parcel preparation activities under
14 the Economic Recovery Act as described in subdivisions (4)(d) and (e) of
15 section 81-12,241.

16 (3) The department shall administer the Middle Income Workforce
17 Housing Investment Fund and may seek additional private or nonstate funds
18 to use in the grant program under the Middle Income Workforce Housing
19 Investment Act, including, but not limited to, contributions from the
20 Nebraska Investment Finance Authority and other interested parties.

21 (4) Interest earned by the department on grant funds shall be
22 applied to the grant program.

23 (5) If a nonprofit development organization, or a recipient of
24 subaccount funds described in subsection (2) of this section, fails to
25 engage in a qualified activity within twenty-four months after receiving
26 initial grant funding, the nonprofit development organization or
27 recipient of subaccount funds shall return the grant proceeds to the
28 department for credit to the General Fund.

29 (6) Beginning July 1, 2029, any funds held by the department in the
30 Middle Income Workforce Housing Investment Fund shall be transferred to
31 the General Fund.

1 **Sec. 7.** Original section 81-1230, Reissue Revised Statutes of
2 Nebraska, section 58-703, Revised Statutes Cumulative Supplement, 2024,
3 and sections 76-901, 76-903, 77-1327, and 81-1239, Revised Statutes
4 Supplement, 2025, are repealed.