

LEGISLATURE OF NEBRASKA  
ONE HUNDRED NINTH LEGISLATURE  
FIRST SESSION

**LEGISLATIVE BILL 582**

Introduced by Spivey, 13.

Read first time January 22, 2025

Committee: Revenue

- 1 A BILL FOR AN ACT relating to the Mechanical Amusement Device Tax Act; to  
2 amend section 81-3729, Reissue Revised Statutes of Nebraska, and  
3 section 77-3012, Revised Statutes Cumulative Supplement, 2024; to  
4 change the amount of tax imposed on cash devices and how such  
5 collected taxes are remitted; to change the revenue submitted to the  
6 Nebraska Tourism Commission Promotional Cash Fund; to harmonize  
7 provisions; to provide an operative date; and to repeal the original  
8 sections.
- 9 Be it enacted by the people of the State of Nebraska,

1           **Section 1.** Section 77-3012, Revised Statutes Cumulative Supplement,  
2 2024, is amended to read:

3           77-3012 (1) Except as otherwise provided in subsection (5) of this  
4 section, a tax is hereby imposed and levied, in the amount and in  
5 accordance with this section, upon the net operating revenue of all cash  
6 devices operating within the State of Nebraska for profit or gain either  
7 directly or indirectly received. The tax shall be paid in the amount and  
8 manner specified in this section.

9           (2) Except as otherwise provided in subsection (5) of this section,  
10 beginning on and after July 1, 2025, any distributor of a cash device,  
11 and any operator of a cash device if the operator is not subject to a  
12 revenue-sharing or other agreement with a distributor who is paying the  
13 tax, shall pay a tax for each cash device in operation each calendar  
14 quarter during the taxable year. The tax shall be collected by the  
15 department and due and payable on January 1, April 1, July 1, and October  
16 1 of each year on each cash device in operation during the preceding  
17 calendar quarter. For each cash device put into operation on a date  
18 subsequent to a quarterly due date that has not been included in  
19 computing the tax imposed and levied by the Mechanical Amusement Device  
20 Tax Act, the tax shall be due and payable on the immediately succeeding  
21 quarterly due date.

22           (3) The amount of the tax imposed and levied under this section  
23 shall be fifteen ~~five~~ percent of the net operating revenue for each cash  
24 device. The quarterly tax shall be submitted on a form prescribed by the  
25 Tax Commissioner documenting the total gross and net operating revenue  
26 for that quarter.

27           (4) The Tax Commissioner shall remit the taxes collected pursuant to  
28 this section to the State Treasurer for credit as follows:

29           (a) Five ~~Twenty~~ percent to the Charitable Gaming Operations Fund for  
30 enforcement of the act and maintenance of the central server;

31           (b) Two and one-half percent to the Compulsive Gamblers Assistance

1 Fund;

2 (c) ~~Twenty Two and one-half~~ percent to the General Fund;

3 (d) Forty-seven and one-half percent to the Education Future Fund

4 ~~Ten percent to the Nebraska Tourism Commission Promotional Cash Fund;~~

5 (e) Seventeen and one-half ~~Forty~~ percent to the Property Tax Credit  
6 Cash Fund; ~~and~~

7 (f) The remaining seven and one-half ~~twenty-five~~ percent to the  
8 county treasurer of the county in which the cash device is located to be  
9 distributed as follows: (i) If the cash device is located completely  
10 within an unincorporated area of a county, the remaining seven and one-  
11 half ~~twenty-five~~ percent shall be distributed to the county in which the  
12 cash device is located, or (ii) if the cash device is located within the  
13 limits of a city or village in such county, one-half of the remaining  
14 seven and one-half ~~twenty-five~~ percent shall be distributed to such  
15 county and one-half of the remaining seven and one-half ~~twenty-five~~  
16 percent shall be distributed to the city or village in which such cash  
17 device is located.

18 (5) This section does not apply to cash devices operated by a  
19 fraternal benefit society organized and licensed under sections 44-1072  
20 to 44-10,109 or a recognized veterans organization as defined in section  
21 80-401.01.

22 **Sec. 2.** Section 81-3729, Reissue Revised Statutes of Nebraska, is  
23 amended to read:

24 81-3729 The Nebraska Tourism Commission Promotional Cash Fund is  
25 hereby created. The fund shall consist of revenue submitted by vendors  
26 and retailers under section 81-3728 ~~and revenue from the tax collected on~~  
27 ~~the net operating revenue of cash devices pursuant to section 77-3012.~~  
28 Revenue from the sale of advertising shall be remitted to the State  
29 Treasurer for credit to the fund. The commission shall use the fund to  
30 carry out its purposes under the Nebraska Visitors Development Act. Any  
31 money in the fund available for investment shall be invested by the state

1 investment officer pursuant to the Nebraska Capital Expansion Act and the  
2 Nebraska State Funds Investment Act.

3 **Sec. 3.** This act becomes operative on October 1, 2025.

4 **Sec. 4.** Original section 81-3729, Reissue Revised Statutes of  
5 Nebraska, and section 77-3012, Revised Statutes Cumulative Supplement,  
6 2024, are repealed.