

LEGISLATURE OF NEBRASKA
ONE HUNDRED NINTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 583

Introduced by Spivey, 13.

Read first time January 22, 2025

Committee: Revenue

1 A BILL FOR AN ACT relating to revenue and taxation; to amend sections
2 43-2622, 43-2624, 76-901, 76-903, 77-1327, 81-12,114, 81-12,243, and
3 81-3140, Reissue Revised Statutes of Nebraska, and sections 55-901
4 and 58-703, Revised Statutes Cumulative Supplement, 2024; to change
5 provisions relating to the rate and disbursement of the documentary
6 stamp tax, the Child Care Grant Fund, child care grants, the
7 Military Installation Development and Support Fund, the Affordable
8 Housing Trust Fund, the Innovation Hub Cash Fund, the Economic
9 Recovery Contingency Fund, and the Health Care Homes for the
10 Medically Underserved Fund; to harmonize provisions; to provide an
11 operative date; and to repeal the original sections.
12 Be it enacted by the people of the State of Nebraska,

1 **Section 1.** Section 43-2622, Reissue Revised Statutes of Nebraska, is
2 amended to read:

3 43-2622 The Child Care Grant Fund is hereby established to be
4 administered by the Department of Health and Human Services. The fund
5 shall consist of money received pursuant to section 76-903 and section
6 43-2623. The fund shall be used to make grants pursuant to section
7 43-2624. Any money in the fund available for investment shall be invested
8 by the state investment officer pursuant to the Nebraska Capital
9 Expansion Act and the Nebraska State Funds Investment Act.

10 **Sec. 2.** Section 43-2624, Reissue Revised Statutes of Nebraska, is
11 amended to read:

12 43-2624 (1) The Department of Health and Human Services shall award
13 grants to licensed child care providers ~~persons~~, community-based
14 organizations, or schools needing assistance to start, maintain, or grow
15 ~~improve~~ a licensed child care program or needing assistance to provide
16 for staff training, staff retention or recruitment incentives, or capital
17 expenses for a licensed child care program located at a child care center
18 or at-home facility.

19 (2) No grant shall exceed fifteen ~~ten~~ thousand dollars.

20 (3) The size of an awarded grant shall be based on need demonstrated
21 through the application process.

22 (4) A recipient of a grant shall not be eligible for a grant more
23 than once in a two-year ~~three-year~~ period.

24 (5) Child care grants shall be awarded on the basis of need for the
25 proposed services in the community.

26 (6) The department shall contract with a statewide organization and
27 such statewide organization, with guidance from the department, shall:

28 (a) Prescribe the form on which an eligible recipient may apply to
29 receive a grant under this section;

30 (b) Review applications and identify potential grant recipients; and

31 (c) Provide technical assistance to grant recipients. Grants shall

~~1 be given only to grantees who do not discriminate against children with
2 disabilities or children whose care is funded by any state or federal
3 funds. When considering grant applications of equal merit, the department
4 shall award the grant to the applicant which has not previously received
5 a grant from the Child Care Grant Fund.~~

6 **Sec. 3.** Section 55-901, Revised Statutes Cumulative Supplement,
7 2024, is amended to read:

8 55-901 (1) The Military Installation Development and Support Fund is
9 created. The fund shall be used to contribute to construction,
10 development, or support for any military installation, located in
11 Nebraska, for purposes of improving mission retention and recruitment;
12 supporting the morale, health, and mental wellness of military members
13 and families; and growing the economic impact of military installations
14 in Nebraska. The Department of Veterans' Affairs shall administer the
15 fund. The fund shall consist of money received pursuant to section
16 76-903, transfers authorized by the Legislature, and any gifts, grants,
17 or bequests from any source, including federal, state, public, and
18 private sources, for such purposes. Any money in the fund available for
19 investment shall be invested by the state investment officer pursuant to
20 the Nebraska Capital Expansion Act and the Nebraska State Funds
21 Investment Act. Beginning October 1, 2024, any investment earnings from
22 investment of money in the fund shall be credited to the General Fund.

23 (2) Money transferred to the fund under section 76-903 shall be used
24 for funding community-based organizations that provide services to
25 veterans in Nebraska through distributions of:

26 (a) At least one hundred thousand dollars per year to the Department
27 of Veterans' Affairs for contracting with community-based organizations
28 to create a statewide skillbridge strategy or program to attract veterans
29 to Nebraska; and

30 (b) At least one hundred thousand dollars per year to community-
31 based organizations that provide mental health services to veterans in

1 Nebraska.

2 ~~(3)~~ ~~(2)~~ The Military Installation Development and Support Fund may
3 be used for any project that directly supports any military installation
4 located in Nebraska.

5 ~~(4)~~ ~~(3)~~ The Department of Veterans' Affairs shall require a match of
6 public or private funding in an amount equal to or greater than one-half
7 of the total cost of any project described in subsection ~~(3)~~ ~~(2)~~ of this
8 section prior to authorizing an expenditure from the fund.

9 ~~(5)~~ ~~(4)~~ For purposes of this section, military installation means a
10 base, camp, post, station, yard, center, armory, or other activity under
11 the jurisdiction of the United States Department of Defense or the
12 Nebraska Military Department.

13 **Sec. 4.** Section 58-703, Revised Statutes Cumulative Supplement,
14 2024, is amended to read:

15 58-703 (1) The Affordable Housing Trust Fund is created. The fund
16 shall receive money pursuant to section 76-903 and may include revenue
17 from sources recommended by the housing advisory committee established in
18 section 58-704, appropriations from the Legislature, transfers authorized
19 by the Legislature, grants, private contributions, repayment of loans,
20 and all other sources. The Department of Economic Development as part of
21 its comprehensive housing affordability strategy shall administer the
22 Affordable Housing Trust Fund.

23 (2) From each one dollar and five cents of the money transferred to
24 the fund under section 76-903:

25 (a) At least five cents of such money shall be distributed to
26 emerging developers; and

27 (b) At least twenty cents of such money shall be distributed to
28 special population and innovation housing programs.

29 (3) Transfers may be made from the Affordable Housing Trust Fund to
30 the General Fund, the Behavioral Health Services Fund, the Lead-Based
31 Paint Hazard Control Cash Fund, the Middle Income Workforce Housing

1 Investment Fund, the Rural Workforce Housing Investment Fund, and the
2 Site and Building Development Fund at the direction of the Legislature.

3 (4) For purposes of this section:

4 (a) Emerging developer means any business entity that was not
5 created more than ten years previous to the distribution under this
6 section and that specializes in the design, construction, or renovation
7 of residential properties; and

8 (b) Special population and innovation housing program means any
9 program that assists with the provision of accessible housing compliant
10 with the Americans with Disabilities Act of 1990, housing for seniors,
11 reentry housing, or public housing.

12 **Sec. 5.** Section 76-901, Reissue Revised Statutes of Nebraska, is
13 amended to read:

14 76-901 There is hereby imposed a tax on the grantor executing the
15 deed as defined in section 76-203 upon the transfer of a beneficial
16 interest in or legal title to real estate at the rate of three ~~two~~
17 dollars and thirty ~~twenty-five~~ cents for each one thousand dollars value
18 or fraction thereof. For purposes of sections 76-901 to 76-908, value
19 means (1) in the case of any deed, not a gift, the amount of the full
20 actual consideration thereof, paid or to be paid, including the amount of
21 any lien or liens assumed, and (2) in the case of a gift or any deed with
22 nominal consideration or without stated consideration, the current market
23 value of the property transferred. Such tax shall be evidenced by stamps
24 to be attached to the deed. All deeds purporting to transfer legal title
25 or beneficial interest shall be presumed taxable unless it clearly
26 appears on the face of the deed or sufficient documentary proof is
27 presented to the register of deeds that the instrument is exempt under
28 section 76-902.

29 **Sec. 6.** Section 76-903, Reissue Revised Statutes of Nebraska, is
30 amended to read:

31 76-903 The Tax Commissioner shall design such stamps in such

1 denominations as in his or her judgment will be the most advantageous to
2 all persons concerned. When any deed subject to the tax imposed by
3 section 76-901 is offered for recordation, the register of deeds shall
4 ascertain and compute the amount of the tax due thereon and shall collect
5 such amount as a prerequisite to acceptance of the deed for recordation.
6 If a dispute arises concerning the taxability of the transfer, the
7 register of deeds shall not record the deed until the disputed tax is
8 paid. If a disputed tax has been paid, the taxpayer may file for a refund
9 pursuant to section 76-908. The taxpayer may also seek a declaratory
10 ruling pursuant to rules and regulations adopted and promulgated by the
11 Department of Revenue. From each ~~three two~~ dollars and ~~thirty twenty-five~~
12 cents of tax collected pursuant to section 76-901, the register of deeds
13 shall retain ~~seventy-five~~ fifty cents to be placed in the county general
14 fund and shall remit the balance to the State Treasurer who shall credit:
15 ~~ninety-five cents of such amount to the Affordable Housing Trust Fund,~~
16 ~~twenty-five cents of such amount to the Site and Building Development~~
17 ~~Fund, twenty-five cents of such amount to the Homeless Shelter Assistance~~
18 ~~Trust Fund, and thirty cents of such amount to the Behavioral Health~~
19 ~~Services Fund.~~

20 (1) One dollar and five cents of such amount to the Affordable
21 Housing Trust Fund;

22 (2) Twenty-five cents of such amount to the Site and Building
23 Development Fund;

24 (3) Twenty-five cents of such amount to the Homeless Shelter
25 Assistance Trust Fund;

26 (4) Forty cents of such amount to the Behavioral Health Services
27 Fund;

28 (5) Five cents of such amount to the Economic Recovery Contingency
29 Fund for the establishment and operation of an office to pursue and
30 coordinate grant funding on behalf of the state;

31 (6) Five cents of such amount to the Military Installation

1 Development and Support Fund to support community-based organizations
2 that provide services to veterans in Nebraska through distributions
3 described in subsection (2) of section 55-901;

4 (7) Five cents of such amount to the Innovation Hub Cash Fund for
5 operational support of innovation hubs;

6 (8) Five cents of such amount to the Health Care Homes for the
7 Medically Underserved Fund; and

8 (9) Forty cents of such amount to the Child Care Grant Fund.

9 **Sec. 7.** Section 77-1327, Reissue Revised Statutes of Nebraska, is
10 amended to read:

11 77-1327 (1) It is the intent of the Legislature that accurate and
12 comprehensive information be developed by the Property Tax Administrator
13 and made accessible to the taxing officials and property owners in order
14 to ensure the uniformity and proportionality of the assessments of real
15 property valuations in the state in accordance with law and to provide
16 the statistical and narrative reports pursuant to section 77-5027.

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

29 (3) The Property Tax Administrator annually shall make and issue
30 comprehensive assessment ratio studies of the average level of
31 assessment, the degree of assessment uniformity, and the overall

1 compliance with assessment requirements for each major class of real
2 property subject to the property tax in each county. The comprehensive
3 assessment ratio studies shall be developed in compliance with
4 professionally accepted mass appraisal techniques and shall employ such
5 statistical analysis as deemed appropriate by the Property Tax
6 Administrator, including measures of central tendency and dispersion. The
7 comprehensive assessment ratio studies shall be based upon the sales file
8 as developed in subsection (2) of this section and shall be used by the
9 Property Tax Administrator for the analysis of the level of value and
10 quality of assessment for purposes of section 77-5027 and by the Property
11 Tax Administrator in establishing the adjusted valuations required by
12 section 79-1016. Such studies may also be used by assessing officials in
13 establishing assessed valuations.

14 (4) For purposes of determining the level of value of agricultural
15 and horticultural land subject to special valuation under sections
16 77-1343 to 77-1347.01, the Property Tax Administrator shall annually make
17 and issue a comprehensive study developed in compliance with
18 professionally accepted mass appraisal techniques to establish the level
19 of value if in his or her opinion the level of value cannot be developed
20 through the use of the comprehensive assessment ratio studies developed
21 in subsection (3) of this section.

22 (5) County assessors and other taxing officials shall electronically
23 report data on the assessed valuation and other features of the property
24 assessment process for such periods and in such form and content as the
25 Property Tax Administrator shall deem appropriate. The Property Tax
26 Administrator shall so construct and maintain the system used to collect
27 and analyze the data to enable him or her to make intracounty comparisons
28 of assessed valuation, including school districts and other political
29 subdivisions, as well as intercounty comparisons of assessed valuation,
30 including school districts and other political subdivisions. The Property
31 Tax Administrator shall include analysis of real property sales pursuant

1 to land contracts and similar transfers at the time of execution of the
2 contract or similar transfer.

3 **Sec. 8.** Section 81-12,114, Reissue Revised Statutes of Nebraska, is
4 amended to read:

5 81-12,114 (1) The Innovation Hub Cash Fund is created. The fund
6 shall be administered by the department and shall consist of money
7 received pursuant to section 76-903, application fees received under
8 section 81-12,110, funds transferred by the Legislature, and any other
9 money as determined by the Legislature.

10 (2) The fund shall be used by the department for purposes of
11 carrying out the Nebraska Innovation Hub Act. Money transferred to the
12 fund under section 76-903 shall be used for the operational support of
13 innovation hubs. Any money in the fund available for investment shall be
14 invested by the state investment officer pursuant to the Nebraska Capital
15 Expansion Act and the Nebraska State Funds Investment Act.

16 **Sec. 9.** Section 81-12,243, Reissue Revised Statutes of Nebraska, is
17 amended to read:

18 81-12,243 (1) The Economic Recovery Contingency Fund is created. The
19 fund shall consist of money received pursuant to section 76-903 and
20 transfers by the Legislature to carry out the Economic Recovery Act.
21 Transfers may be made from the Economic Recovery Contingency Fund to the
22 Museum Construction and Maintenance Fund at the direction of the
23 Legislature. Any money in the fund available for investment shall be
24 invested by the state investment officer pursuant to the Nebraska Capital
25 Expansion Act and the Nebraska State Funds Investment Act. Investment
26 earnings on and after July 1, 2023, shall be credited to the fund.

27 (2) Money transferred to the fund under section 76-903 shall be used
28 for the establishment and operation of an office to pursue and coordinate
29 grant funding on behalf of the state.

30 (3) ~~(2)~~ The Department of Economic Development may review the
31 projects listed in the coordination plan and the appendices by the

1 Economic Recovery Special Committee of the Legislature dated January 10,
2 2023, and shall prioritize the use of the fund on projects listed in the
3 coordination plan followed by the projects in the appendices.

4 (4) ~~(3)~~ The State Treasurer shall transfer seven hundred fifty
5 thousand dollars from the Economic Recovery Contingency Fund to the
6 Museum Construction and Maintenance Fund on or after July 1, 2024, but
7 before December 31, 2024, on such dates and in such amounts as directed
8 by the budget administrator of the budget division of the Department of
9 Administrative Services. The State Treasurer shall transfer fifteen
10 million dollars from the Economic Recovery Contingency Fund to the Museum
11 Construction and Maintenance Fund on or after July 1, 2025, but before
12 December 31, 2025, on such dates and in such amounts as directed by the
13 budget administrator of the budget division of the Department of
14 Administrative Services.

15 (5) ~~(4)~~ The State Treasurer shall transfer thirty million dollars
16 from the Economic Recovery Contingency Fund to the Inland Port Authority
17 Fund no later than five business days after April 17, 2024, for the
18 purpose of creating and operating an innovation district by an inland
19 port authority and for any other purpose authorized under the Municipal
20 Inland Port Authority Act.

21 (6) ~~(5)~~ The State Treasurer shall transfer any unobligated funds
22 remaining in the Economic Recovery Contingency Fund on July 31, 2026, to
23 the Inland Port Authority Fund.

24 (7) ~~(6)~~ The State Treasurer shall transfer seven million dollars
25 from the Economic Recovery Contingency Fund to the Museum Construction
26 and Maintenance Fund on or after January 1, 2026, but before June 30,
27 2026, on such dates and in such amounts as directed by the budget
28 administrator of the budget division of the Department of Administrative
29 Services.

30 **Sec. 10.** Section 81-3140, Reissue Revised Statutes of Nebraska, is
31 amended to read:

1 81-3140 (1)(a) The purpose of the Health Care Homes for the
2 Medically Underserved Fund is to enhance the ability of Nebraska's
3 federally qualified health centers to provide patient-centered medical
4 homes to low-income medically underserved populations. Twenty-five
5 percent of the state portion of medicaid fraud settlement funds deposited
6 into the Medicaid Fraud Settlement Fund in the Department of Health and
7 Human Services annually shall be transferred to the Health Care Homes for
8 the Medically Underserved Fund for distribution to federally qualified
9 health centers in Nebraska. The Health Care Homes for the Medically
10 Underserved Fund shall also receive money pursuant to section 76-903.
11 Such funds and money shall be distributed proportionately based on the
12 unduplicated number of patients served in the previous year by such
13 federally qualified health centers as reported through the uniform data
14 system of the Health Resources and Services Administration of the United
15 States Department of Health and Human Services.

16 (b) Five percent of the state portion of the medicaid fraud
17 settlement funds deposited into the Medicaid Fraud Settlement Fund in the
18 Department of Health and Human Services annually shall be transferred to
19 the Health Care Homes for the Medically Underserved Fund for distribution
20 to federally qualified health centers in Nebraska. Such funds shall be
21 used for persons receiving services under section 330(h) or 330(i) of the
22 federal Public Health Service Act, 42 U.S.C. 254b, as such section
23 existed on January 1, 2016.

24 (2) Funds distributed pursuant to subsection (1) of this section
25 shall be used for the following purposes:

26 (a) Hiring, training, certifying, and maintaining staff dedicated to
27 patient-centered chronic disease management, including, but not limited
28 to, case managers, health educators, social workers, outreach and
29 enrollment workers, and community health workers;

30 (b) Providing services, including, but not limited to, interpreter
31 services, transportation services, and social work assistance;

1 (c) Capital improvements, including, but not limited to, facility
2 expansion, leasing additional space, and furnishing, equipment, or
3 redesign of facilities to support patient-centered care;

4 (d) Medication management, including, but not limited to, clinical
5 pharmacy services, pharmacists, clinical pharmacists, technology for
6 monitoring and real-time notification, and care managers;

7 (e) Information technology, including, but not limited to,
8 telehealth services, analytics tools, patient registries, and updates to
9 electronic health records systems; and

10 (f) Reimbursement to health care providers, including, but not
11 limited to, physicians, nurse practitioners, dietitians, diabetic
12 educators, behavioral health providers, and oral health providers.

13 **Sec. 11.** This act becomes operative on October 1, 2025.

14 **Sec. 12.** Original sections 43-2622, 43-2624, 76-901, 76-903,
15 77-1327, 81-12,114, 81-12,243, and 81-3140, Reissue Revised Statutes of
16 Nebraska, and sections 55-901 and 58-703, Revised Statutes Cumulative
17 Supplement, 2024, are repealed.