

LEGISLATURE OF NEBRASKA
ONE HUNDRED NINTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 683

Introduced by Raybould, 28; Clouse, 37.

Read first time January 22, 2025

Committee: Revenue

1 A BILL FOR AN ACT relating to revenue and taxation; to amend section
2 77-1315, Reissue Revised Statutes of Nebraska, and sections 77-1601,
3 77-1632, and 77-1776, Revised Statutes Cumulative Supplement, 2024;
4 to change provisions relating to duties of the county assessor
5 regarding notification of real property assessments; to eliminate
6 and change provisions of the Property Tax Request Act; to harmonize
7 provisions; to repeal the original sections; and to outright repeal
8 sections 77-1630, 77-1631, 77-1633, and 77-1634, Revised Statutes
9 Cumulative Supplement, 2024.
10 Be it enacted by the people of the State of Nebraska,

1 **Section 1.** Section 77-1315, Reissue Revised Statutes of Nebraska, is
2 amended to read:

3 77-1315 (1) The county assessor shall, after March 19 and on or
4 before June 1, implement adjustments to the real property assessment roll
5 for actions of the Tax Equalization and Review Commission, except
6 beginning January 1, 2014, in any county with a population of at least
7 one hundred fifty thousand inhabitants according to the most recent
8 federal decennial census, the adjustments shall be implemented after
9 March 25 and on or before June 1.

10 (2) On or before June 1, in addition to the notice of preliminary
11 valuation sent pursuant to section 77-1301, the county assessor shall
12 create a notice to be delivered to notify the owner of record as of May
13 20 of the assessed value of every item of real property not exempt from
14 taxation which has been assessed at a value different than in the
15 previous year. Each county assessor shall transmit such notices to the
16 Department of Administrative Services for printing by the state. Such
17 notice shall be delivered given by first-class mail addressed to such
18 owner's last-known address. It shall identify the item of real property
19 and display a column for the prior tax year and the current tax year.
20 Under the column for the prior tax year, the notice shall display the
21 valuation of the parcel in the prior year and the amount each political
22 subdivision levied against such parcel in the prior year. Under the
23 column for the current tax year, the notice shall display the valuation
24 of the parcel in the current year and the time and place when each
25 political subdivision levying a tax against the parcel is convening the
26 budget hearing of each political subdivision. The notice shall state the
27 following, in a font size larger than any other font appearing on the
28 notice: "KNOW YOUR RIGHTS: If you believe the valuation of the parcel
29 described in this notice to be in error, you may file a protest of this
30 valuation with the county clerk on or before June 30, and your protest
31 shall be heard and decided by the county board of equalization. If you

1 are concerned about the effect your valuation may have on how much tax
2 will be levied against your parcel, you are encouraged to attend any and
3 all of the budget hearings for the above-listed political subdivisions.
4 Please be advised that the same levy rate from the prior year applied to
5 an increased valuation in the current year will result in a higher levy
6 of taxes; a levy rate higher than the prior year applied to the same
7 valuation in the current year will also result in a higher levy of
8 taxes." The notice shall also state ~~state the old and new valuation,~~ the
9 date of convening of the county board of equalization τ and the dates for
10 filing a protest. The notice shall also state the following: "The time
11 and place of the budget hearings have been reported to the county
12 assessor by each political subdivision. Such time and place can change
13 based on unforeseen circumstances. You are encouraged to verify with each
14 political subdivision that the time and place of the budget hearings has
15 not changed."

16 (3) Immediately upon completion of the assessment roll, the county
17 assessor shall cause to be published in a newspaper of general
18 circulation in the county a certification that the assessment roll is
19 complete and notices of valuation changes have been mailed and provide
20 the final date for filing valuation protests with the county board of
21 equalization.

22 (4) The county assessor shall annually, on or before June 6, post in
23 his or her office and, as designated by the county board, mail to a
24 newspaper of general circulation and to licensed broadcast media in the
25 county the assessment ratios as found in his or her county as determined
26 by the Tax Equalization and Review Commission and any other statistical
27 measures, including, but not limited to, the assessment-to-sales ratio,
28 the coefficient of dispersion, and the price-related differential.

29 (5) On or before May 15, each political subdivision levying a tax
30 against property shall inform the county assessor of every county in
31 which the political subdivision has the authority to levy a tax against

1 property of the time and place such political subdivision's budget
2 hearing will convene.

3 **Sec. 2.** Section 77-1601, Revised Statutes Cumulative Supplement,
4 2024, is amended to read:

5 77-1601 (1) The county board of equalization shall each year, on or
6 before October 20, levy the necessary taxes for the current year if
7 within the limit of the law. The levy shall include an amount for
8 operation of all functions of county government and shall also include
9 all levies necessary to fund tax requests that are authorized as provided
10 in sections 77-3442 to 77-3444, including requests certified under
11 section 77-1632 the Property Tax Request Act.

12 (2) On or before November 5, the county board of equalization upon
13 its own motion may act to correct a clerical error which has resulted in
14 the calculation of an incorrect levy by any entity with a tax request as
15 provided in sections 77-3442 to 77-3444, including requests certified
16 under section 77-1632 the Property Tax Request Act. The county board of
17 equalization shall hold a public hearing to determine what adjustment to
18 the levy is proper, legal, or necessary. Notice shall be provided to the
19 governing body of each political subdivision affected by the error.
20 Notice of the hearing as required by section 84-1411 shall include the
21 following: (a) The time and place of the hearing, (b) the dollar amount
22 at issue, and (c) a statement setting forth the nature of the error.

23 (3) Upon the conclusion of the hearing, the county board of
24 equalization shall issue a corrected levy if it determines that an error
25 was made in the original levy which warrants correction. The county board
26 of equalization shall then order (a) the county assessor, county clerk,
27 and county treasurer to revise assessment books, unit valuation ledgers,
28 tax statements, and any other tax records to reflect the correction made
29 and (b) the recertification of the information provided to the Property
30 Tax Administrator pursuant to section 77-1613.01.

31 **Sec. 3.** Section 77-1632, Revised Statutes Cumulative Supplement,

1 2024, is amended to read:

2 77-1632 (1) For purposes of this section, property tax request means
3 the total amount of property taxes requested to be raised for a political
4 subdivision through the levy imposed pursuant to section 77-1601.

5 (2) ~~(1)~~ If the annual assessment of property would result in an
6 increase in the total property taxes levied by a county, city, village,
7 school district, learning community, sanitary and improvement district,
8 natural resources district, educational service unit, or community
9 college, as determined using the previous year's rate of levy, such
10 political subdivision's property tax request for the current year shall
11 be no more than its property tax request in the prior year, and the
12 political subdivision's rate of levy for the current year shall be
13 decreased accordingly when such rate is set by the county board of
14 equalization pursuant to section 77-1601. The governing body of the
15 political subdivision shall pass a resolution or ordinance to set the
16 amount of its property tax request after holding the public hearing
17 required in subsection (4) ~~(3)~~ of this section. If the governing body of
18 a political subdivision seeks to set its property tax request at an
19 amount that exceeds its property tax request in the prior year, it may do
20 so, subject to the limitations provided in the School District Property
21 Tax Limitation Act and the Property Tax Growth Limitation Act, after
22 holding the public hearing required in subsection (4) ~~(3)~~ of this section
23 and by passing a resolution or ordinance that complies with subsection
24 (5) ~~(4)~~ of this section. ~~If any county, city, school district, or~~
25 ~~community college seeks to increase its property tax request by more than~~
26 ~~the allowable growth percentage, such political subdivision shall comply~~
27 ~~with the requirements of section 77-1633 in lieu of the requirements in~~
28 ~~subsections (3) and (4) of this section.~~

29 (3) ~~(2)~~ If the annual assessment of property would result in no
30 change or a decrease in the total property taxes levied by a county,
31 city, village, school district, learning community, sanitary and

1 improvement district, natural resources district, educational service
2 unit, or community college, as determined using the previous year's rate
3 of levy, such political subdivision's property tax request for the
4 current year shall be no more than its property tax request in the prior
5 year, and the political subdivision's rate of levy for the current year
6 shall be adjusted accordingly when such rate is set by the county board
7 of equalization pursuant to section 77-1601. The governing body of the
8 political subdivision shall pass a resolution or ordinance to set the
9 amount of its property tax request after holding the public hearing
10 required in subsection (4) ~~(3)~~ of this section. If the governing body of
11 a political subdivision seeks to set its property tax request at an
12 amount that exceeds its property tax request in the prior year, it may do
13 so, subject to the limitations provided in the School District Property
14 Tax Limitation Act and the Property Tax Growth Limitation Act, after
15 holding the public hearing required in subsection (4) ~~(3)~~ of this section
16 and by passing a resolution or ordinance that complies with subsection
17 (5) ~~(4)~~ of this section. ~~If any county, city, school district, or~~
18 ~~community college seeks to increase its property tax request by more than~~
19 ~~the allowable growth percentage, such political subdivision shall comply~~
20 ~~with the requirements of section 77-1633 in lieu of the requirements in~~
21 ~~subsections (3) and (4) of this section.~~

22 (4) ~~(3)~~ The resolution or ordinance required under this section
23 shall only be passed after a special public hearing called for such
24 purpose is held and after notice is published in a newspaper of general
25 circulation in the area of the political subdivision at least four
26 calendar days prior to the hearing. For purposes of such notice, the four
27 calendar days shall include the day of publication but not the day of
28 hearing. If the political subdivision's total operating budget, not
29 including reserves, does not exceed ten thousand dollars per year or
30 twenty thousand dollars per biennial period, the notice may be posted at
31 the governing body's principal headquarters. The hearing notice shall

1 contain the following information: The certified taxable valuation under
2 section 13-509 for the prior year, the certified taxable valuation under
3 section 13-509 for the current year, and the percentage increase or
4 decrease in such valuations from the prior year to the current year; the
5 dollar amount of the prior year's tax request and the property tax rate
6 that was necessary to fund that tax request; the property tax rate that
7 would be necessary to fund last year's tax request if applied to the
8 current year's valuation; the proposed dollar amount of the tax request
9 for the current year and the property tax rate that will be necessary to
10 fund that tax request; the percentage increase or decrease in the
11 property tax rate from the prior year to the current year; and the
12 percentage increase or decrease in the total operating budget from the
13 prior year to the current year.

14 (5) ~~(4)~~ Any resolution or ordinance setting a political
15 subdivision's property tax request under this section at an amount that
16 exceeds the political subdivision's property tax request in the prior
17 year shall include, but not be limited to, the following information:

18 (a) The name of the political subdivision;

19 (b) The amount of the property tax request;

20 (c) The following statements:

21 (i) The total assessed value of property differs from last year's
22 total assessed value by percent;

23 (ii) The tax rate which would levy the same amount of property taxes
24 as last year, when multiplied by the new total assessed value of
25 property, would be \$..... per \$100 of assessed value;

26 (iii) The (name of political subdivision) proposes to adopt a
27 property tax request that will cause its tax rate to be \$..... per \$100
28 of assessed value; and

29 (iv) Based on the proposed property tax request and changes in other
30 revenue, the total operating budget of (name of political subdivision)
31 will (increase or decrease) last year's budget by percent; and

1 (d) The record vote of the governing body in passing such resolution
2 or ordinance.

3 (6) ~~(5)~~ Any resolution or ordinance setting a property tax request
4 under this section shall be certified and forwarded to the county clerk
5 on or before October 15 of the year for which the tax request is to
6 apply.

7 **Sec. 4.** Section 77-1776, Revised Statutes Cumulative Supplement,
8 2024, is amended to read:

9 77-1776 Any political subdivision which has received proceeds from a
10 levy imposed on all taxable property within an entire county which is in
11 excess of that requested by the political subdivision under section
12 77-1632 ~~the Property Tax Request Act~~ as a result of a clerical error or
13 mistake shall, in the fiscal year following receipt, return the excess
14 tax collections, net of the collection fee, to the county. By July 31 of
15 the fiscal year following the receipt of any excess tax collections, the
16 county treasurer shall certify to the political subdivision the amount to
17 be returned. For fiscal years beginning prior to July 1, 2025, such
18 excess tax collections shall be restricted funds in the budget of the
19 county that receives the funds under section 13-518.

20 **Sec. 5.** Original section 77-1315, Reissue Revised Statutes of
21 Nebraska, and sections 77-1601, 77-1632, and 77-1776, Revised Statutes
22 Cumulative Supplement, 2024, are repealed.

23 **Sec. 6.** The following sections are outright repealed: Sections
24 77-1630, 77-1631, 77-1633, and 77-1634, Revised Statutes Cumulative
25 Supplement, 2024.