

LEGISLATURE OF NEBRASKA
ONE HUNDRED NINTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 692

Introduced by Murman, 38.

Read first time January 22, 2025

Committee: Revenue

1 A BILL FOR AN ACT relating to the School District Property Tax Limitation
2 Act; to amend sections 79-3403 and 79-3406, Reissue Revised Statutes
3 of Nebraska; to change provisions relating to the calculation of
4 property tax request authority and the carrying forward of unused
5 property tax request authority; and to repeal the original sections.
6 Be it enacted by the people of the State of Nebraska,

1 **Section 1.** Section 79-3403, Reissue Revised Statutes of Nebraska, is
2 amended to read:

3 79-3403 (1) Except as provided in sections 79-3404 and 79-3405, a
4 school district's property tax request for any year shall not exceed the
5 school district's property tax request authority.

6 (2) The department shall calculate each school district's property
7 tax request authority on an annual basis as follows:

8 (a) The school district's property tax request from the prior year
9 minus the amount, if any, the property tax request exceeded the school
10 district's property tax request authority in the prior year pursuant to
11 section 79-3405 shall be added to the non-property-tax revenue from the
12 prior year minus any investment income from special building funds from
13 the prior year, and the total shall be increased by the school district's
14 base growth percentage; and

15 (b) The amount determined under subdivision (2)(a) of this section
16 shall then be decreased by the amount of total non-property-tax revenue
17 for the current year and adjusted for any known or documented errors in
18 documentation received by the department from the school district. In
19 determining the total non-property-tax revenue for the current year, any
20 category of non-property-tax revenue for which there is insufficient data
21 as of June 1 to make an accurate determination shall be deemed to be
22 equal to the prior year's amount.

23 (3) The department shall certify the amount determined for each
24 school district under this section to the school board of such school
25 district. Such certified amount shall be the school district's property
26 tax request authority.

27 **Sec. 2.** Section 79-3406, Reissue Revised Statutes of Nebraska, is
28 amended to read:

29 79-3406 A school district may choose not to increase its property
30 tax request by the full amount allowed by the school district's property
31 tax request authority in a particular year. In such cases, the school

1 district may carry forward to future years the amount of unused property
2 tax request authority, excluding any increases to property tax request
3 authority resulting from increases of the school district's base growth
4 percentage pursuant to section 79-3405. The department shall calculate
5 each school district's unused property tax request authority and shall
6 submit an accounting of such amount to the school board of the school
7 district. Such unused property tax request authority may then be used in
8 later years for increases in the school district's property tax request.

9 **Sec. 3.** Original sections 79-3403 and 79-3406, Reissue Revised
10 Statutes of Nebraska, are repealed.