

E AND R AMENDMENTS TO LB 304

Introduced by Enrollment and Review Committee: McGill, 26,
Chairperson

1 1. Strike the original sections and all amendments
2 thereto and insert the following new sections:

3 Section 1. Section 77-6102, Revised Statutes Cumulative
4 Supplement, 2006, is amended to read:

5 77-6102 For purposes of the Long-Term Care Savings Plan
6 Act:

7 (1) Long-term care expense means the cost of long-term
8 care in a long-term care facility and the cost of care provided in
9 a person's home when the person receiving the care is unable to
10 perform multiple basic life functions independently;

11 (2) Long-term care insurance premiums means premiums
12 paid for a long-term care insurance policy issued pursuant to
13 the Long-Term Care Insurance Act that offers coverage to the
14 individual, ~~or~~ the individual's spouse, or another person for whom
15 the taxpayer has an insurable interest;

16 (3) Participant means an individual who has entered
17 into a participation agreement or established an account with
18 a financial institution with which the State Treasurer has an
19 agreement under subsection (1) of section 77-6103; and

20 (4) Qualified individual means (a) a person who ~~turned~~
21 ~~sixty-five years of age or older during the taxable year who has~~
22 ~~a medical necessity for long-term care during the taxable year,~~
23 ~~(b) a disabled person who has a medical necessity for long-term~~

1 ~~care~~ incurred long-term care expenses during the taxable year, ~~or~~
2 ~~(e)~~ or (b) a person who turned ~~sixty-two~~ fifty years of age or
3 older during the taxable year who made payments for long-term care
4 insurance premiums during the taxable year.

5 Sec. 2. Section 77-6105, Revised Statutes Cumulative
6 Supplement, 2006, is amended to read:

7 77-6105 A qualified individual as defined in subdivision
8 (4) (a) ~~or (b)~~ of section 77-6102 may make withdrawals as a
9 participant in the Nebraska long-term care savings plan to pay
10 or reimburse long-term care expenses. A qualified individual as
11 defined in subdivision ~~(4)(e)~~ (4)(b) of section 77-6102 may make
12 withdrawals to pay or reimburse long-term care insurance premiums.
13 Any participant who is not a qualified individual or who makes
14 a withdrawal for any reason other than transfer of funds to a
15 spouse, long-term care expenses, long-term care insurance premiums,
16 or death of the participant shall be subject to a ten-percent
17 penalty on the amount withdrawn. The State Treasurer shall collect
18 the penalty.

19 Sec. 3. Original sections 77-6102 and 77-6105, Revised
20 Statutes Cumulative Supplement, 2006, are repealed.

21 2. On page 1, strike lines 2 through 4 and insert "to
22 amend sections 77-6102 and 77-6105, Revised Statutes Cumulative
23 Supplement, 2006; to redefine terms; to change provisions relating
24 to authorized withdrawals; to harmonize provisions; and to repeal
25 the original sections."