



Hundredth Legislature - First Session - 2007
Committee Statement
LB 364

Hearing Date: January 26, 2007
Committee On: Revenue

Introducer(s): (Flood)
Title: Change apportionment of inheritance tax revenue

Roll Call Vote – Final Committee Action:

- Advanced to General File
 - X Advanced to General File with Amendments
 - Indefinitely Postponed
-

Vote Results:

7	Yes	Senators Cornett, Dierks, Janssen, Langemeier, Preister, Raikes and White
0	No	
0	Present, not voting	
1	Absent	Senator Burling

Proponents:
Senator Mike Flood
Andrew Loudon
Jon Edwards

Representing:
Introducer
Himself
Nebraska Association of County Officials

Opponents:
None

Representing:

Neutral:
None

Representing:

Summary of purpose and/or changes:

LB 364 would amend section 77-2014 to provide that the apportionment between counties of the inheritance tax paid should be based upon both taxable and exempt property located in each county. Currently, the inheritance tax is divided between, or apportioned among the counties in the ratio that the value of the property subject to tax in each county bears to the total value of all property reportable for inheritance tax purposes. In other words, if half of the property subject to inheritance taxes is located in a particular county, that county is to receive half of the inheritance taxes paid.

Under LB 364, property exempt from inheritance taxes paid under sections 77-2004 and 77-2007.04 would be counted both in the property located in the individual county and all the property in the state. Section 77-2004 exempts inheritances received by the spouse and the first \$10,000 received by a lineal relative or sibling. Section 77-2007.04 exempts inheritances received by religious, charitable, public, scientific, or educational organizations.

Explanation of amendments, if any:

The Committee amendments reword the new language in the bill so that it is clearer. The words “subject to tax and not subject to tax under section 77-2004, 77-2006, and 77-2007.04 would be used in both the numerator and denominator of the apportionment fraction.

Senator Ray Janssen, Chairperson