

LEGISLATURE OF NEBRASKA

ONE HUNDRED FIRST LEGISLATURE

FIRST SESSION

**LEGISLATIVE BILL 302**

FINAL READING

Introduced by Campbell, 25.

Read first time January 15, 2009

Committee: Revenue

A BILL

1 FOR AN ACT relating to revenue and taxation; to amend sections  
2 77-3509.01 and 77-3509.02, Reissue Revised Statutes of  
3 Nebraska; to change provisions relating to transfer of a  
4 homestead exemption; to repeal the original sections; and  
5 to declare an emergency.

6 Be it enacted by the people of the State of Nebraska,

1           Section 1. Section 77-3509.01, Reissue Revised Statutes  
2 of Nebraska, is amended to read:

3           77-3509.01 The owner of a homestead which has been  
4 granted an exemption provided in sections 77-3507 to 77-3509,  
5 who ~~transfers the ownership of such homestead and~~ becomes the  
6 owner of another homestead prior to August 15 during the year  
7 for which the exemption was granted, may file an application with  
8 the county assessor of the county where the new homestead is  
9 located, on or before August 15 of such year, for a transfer  
10 of the exemption to the new homestead. The county assessor shall  
11 examine each application and determine whether or not the new  
12 homestead, except for the January 1 through August 15 ownership and  
13 occupancy requirement and the income requirements, is eligible for  
14 exemption under sections 77-3507 to 77-3509. If the application is  
15 approved by the county assessor, he or she shall make a deduction  
16 upon the assessment rolls using the same criteria as previously  
17 applied to the original homestead. The county assessor may allow  
18 the application for transfer to also be considered an application  
19 for a homestead exemption for the subsequent year.

20           Sec. 2. Section 77-3509.02, Reissue Revised Statutes of  
21 Nebraska, is amended to read:

22           77-3509.02 If the owner of any homestead granted an  
23 exemption under sections 77-3507 to 77-3509 ~~transfers the ownership~~  
24 ~~of such~~ becomes the owner of another homestead on or before  
25 August 15 of any year pursuant to section 77-3509.01 and makes

1 the application for transfer of the homestead exemption and such  
2 application is approved, the exemption shall be disallowed for such  
3 year as applied to the original homestead if the exemption was  
4 granted based on the status of such owner. If the transfer involves  
5 property in more than one county, the county assessor of the county  
6 where the new homestead is located shall notify the other county  
7 assessor and the Department of Revenue of the application for  
8 transfer within ten days after receipt of the application.

9           Sec. 3. Original sections 77-3509.01 and 77-3509.02,  
10 Reissue Revised Statutes of Nebraska, are repealed.

11           Sec. 4. Since an emergency exists, this act takes effect  
12 when passed and approved according to law.