

LEGISLATURE OF NEBRASKA

ONE HUNDRED SECOND LEGISLATURE

FIRST SESSION

LEGISLATIVE BILL 320

Introduced by Cornett, 45; Adams, 24; Hadley, 37; Louden, 49; Utter,
33.

Read first time January 12, 2011

Committee: Revenue

A BILL

1 FOR AN ACT relating to revenue and taxation; to amend sections
2 77-3507, 77-3508, and 77-3509, Reissue Revised Statutes
3 of Nebraska; to change homestead exemption income
4 limitations; to provide an operative date; and to repeal
5 the original sections.
6 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 77-3507, Reissue Revised Statutes of
2 Nebraska, is amended to read:

3 77-3507 (1) All homesteads in this state shall be
4 assessed for taxation the same as other property, except that there
5 shall be exempt from taxation on homesteads of qualified claimants a
6 percentage of the exempt amount as limited by section 77-3506.03. The
7 percentage of the exempt amount shall be determined based on the
8 household income of a claimant pursuant to subsections (2) through
9 (4) of this section.

10 (2) For ~~2000, 2012,~~ for a qualified married or closely
11 related claimant, the percentage of the exempt amount for which the
12 claimant shall be eligible shall be the percentage in Column B which
13 corresponds with the claimant's household income in Column A in the
14 table found in this subsection.

15	Column A	Column B
16	Household Income	Percentage
17	In Dollars	Of Relief
18	0 through 22,500	100
19	22,501 through 23,700	85
20	23,701 through 24,900	70
21	24,901 through 26,100	55
22	26,101 through 27,300	40
23	27,301 through 28,500	25
24	28,501 and over	0

1	<u>Column A</u>	<u>Column B</u>
2	<u>Household Income</u>	<u>Percentage</u>
3	<u>In Dollars</u>	<u>Of Relief</u>
4	<u>0 through 26,190</u>	<u>100</u>
5	<u>26,191 through 27,630</u>	<u>85</u>
6	<u>27,631 through 28,980</u>	<u>70</u>
7	<u>28,981 through 30,420</u>	<u>55</u>
8	<u>30,421 through 31,770</u>	<u>40</u>
9	<u>31,771 through 33,210</u>	<u>25</u>
10	<u>33,211 and over</u>	<u>0</u>

11 (3) For ~~2000, 2012,~~ for a qualified single claimant, the
 12 percentage of the exempt amount for which the claimant shall be
 13 eligible shall be the percentage in Column B which corresponds with
 14 the claimant's household income in Column A in the table found in
 15 this subsection.

16	Column A	Column B
17	Household Income	Percentage
18	In Dollars	Of Relief
19	0 through 19,200	100
20	19,201 through 20,200	85
21	20,201 through 21,200	70
22	21,201 through 22,200	55

1	22,201 through 23,200	40
2	23,201 through 24,200	25
3	24,201 and over	0
4	<u>Column A</u>	<u>Column B</u>
5	<u>Household Income</u>	<u>Percentage</u>
6	<u>In Dollars</u>	<u>Of Relief</u>
7	<u>0 through 22,320</u>	<u>100</u>
8	<u>22,321 through 23,490</u>	<u>85</u>
9	<u>23,491 through 24,660</u>	<u>70</u>
10	<u>24,661 through 25,830</u>	<u>55</u>
11	<u>25,831 through 27,000</u>	<u>40</u>
12	<u>27,001 through 28,170</u>	<u>25</u>
13	<u>28,171 and over</u>	<u>0</u>

14 (4) For exemption applications filed in calendar year
 15 ~~2001-2013~~ and each year thereafter, the income eligibility amounts in
 16 subsections (2) and (3) of this section shall be adjusted for
 17 inflation by the method provided in section 151 of the Internal
 18 Revenue Code. The income eligibility amounts shall be adjusted for
 19 cumulative inflation since ~~2000.~~2012. If any amount is not a
 20 multiple of one hundred dollars, the amount shall be rounded to the
 21 next lower multiple of one hundred dollars.

22 Sec. 2. Section 77-3508, Reissue Revised Statutes of
 23 Nebraska, is amended to read:

1 77-3508 (1)(a) All homesteads in this state shall be
2 assessed for taxation the same as other property, except that there
3 shall be exempt from taxation, on any homestead described in
4 subdivision (b) of this subsection, a percentage of the exempt amount
5 as limited by section 77-3506.03. The exemption shall be based on the
6 household income of a claimant pursuant to subsections (2) through
7 (4) of this section.

8 (b) The exemption described in subdivision (a) of this
9 subsection shall apply to homesteads of:

10 (i) Veterans as defined in section 80-401.01 who were
11 discharged or otherwise separated with a characterization of
12 honorable or general (under honorable conditions) and who are totally
13 disabled by a non-service-connected accident or illness;

14 (ii) Individuals who have a permanent physical disability
15 and have lost all mobility so as to preclude locomotion without the
16 regular use of a mechanical aid or prostheses; and

17 (iii) Individuals who have undergone amputation of both
18 arms above the elbow or who have a permanent partial disability of
19 both arms in excess of seventy-five percent.

20 (c) Application for the exemption described in
21 subdivision (a) of this subsection shall include certification from a
22 qualified medical physician, physician assistant, or advanced
23 practice registered nurse for subdivisions (b)(i) through (b)(iii) of
24 this subsection or certification from the United States Department of
25 Veterans Affairs affirming that the homeowner is totally disabled due

1 to non-service-connected accident or illness for subdivision (b)(i)
 2 of this subsection. Such certification from a qualified medical
 3 physician, physician assistant, or advanced practice registered nurse
 4 shall be made on forms prescribed by the Department of Revenue.

5 (2) For ~~2000, 2012,~~ for a married or closely related
 6 claimant as described in subsection (1) of this section, the
 7 percentage of the exempt amount for which the claimant shall be
 8 eligible shall be the percentage in Column B which corresponds with
 9 the claimant's household income in Column A in the table found in
 10 this subsection.

11	Column A	Column B
12	Household Income	Percentage
13	In Dollars	Of Relief
14	0 through 24,700	100
15	24,701 through 25,900	85
16	25,901 through 27,100	70
17	27,101 through 28,300	55
18	28,301 through 29,500	40
19	29,501 through 30,700	25
20	30,701 and over	0

21	<u>Column A</u>	<u>Column B</u>
22	<u>Household Income</u>	<u>Percentage</u>
23	<u>In Dollars</u>	<u>Of Relief</u>

1	<u>0 through 28,800</u>	<u>100</u>
2	<u>28,801 through 30,150</u>	<u>85</u>
3	<u>30,151 through 31,590</u>	<u>70</u>
4	<u>31,591 through 32,940</u>	<u>55</u>
5	<u>32,941 through 34,380</u>	<u>40</u>
6	<u>34,381 through 35,730</u>	<u>25</u>
7	<u>35,731 and over</u>	<u>0</u>

8 (3) For ~~2000, 2012,~~ for a single claimant as described in
 9 subsection (1) of this section, the percentage of the exempt amount
 10 for which the claimant shall be eligible shall be the percentage in
 11 Column B which corresponds with the claimant's household income in
 12 Column A in the table found in this subsection.

13	Column A	Column B
14	Household Income	Percentage
15	In Dollars	Of Relief
16	0 through 21,600	100
17	21,601 through 22,600	85
18	22,601 through 23,600	70
19	23,601 through 24,600	55
20	24,601 through 25,600	40
21	25,601 through 26,600	25
22	26,601 and over	0

<u>Column A</u>	<u>Column B</u>
<u>Household Income</u>	<u>Percentage</u>
<u>In Dollars</u>	<u>Of Relief</u>
<u>0 through 25,110</u>	<u>100</u>
<u>25,111 through 26,280</u>	<u>85</u>
<u>26,281 through 27,450</u>	<u>70</u>
<u>27,451 through 28,620</u>	<u>55</u>
<u>28,621 through 29,790</u>	<u>40</u>
<u>29,791 through 30,960</u>	<u>25</u>
<u>30,961 and over</u>	<u>0</u>

(4) For exemption applications filed in calendar year ~~2001-2013~~ and each year thereafter, the income eligibility amounts in subsections (2) and (3) of this section shall be adjusted for inflation by the method provided in section 151 of the Internal Revenue Code. The income eligibility amounts shall be adjusted for cumulative inflation since ~~2000-2012~~. If any amount is not a multiple of one hundred dollars, the amount shall be rounded to the next lower multiple of one hundred dollars.

Sec. 3. Section 77-3509, Reissue Revised Statutes of Nebraska, is amended to read:

77-3509 (1)(a) All homesteads in this state shall be assessed for taxation the same as other property, except that there shall be exempt from taxation, on any homestead described in subdivision (b) of this subsection, a percentage of the exempt amount

1 as limited by section 77-3506.03.

2 (b) The exemption described in subdivision (a) of this
3 subsection shall apply to homesteads of:

4 (i) A veteran described in section 80-401.01 who was
5 discharged or otherwise separated with a characterization of
6 honorable or general (under honorable conditions), who is drawing
7 compensation from the United States Department of Veterans Affairs
8 because of one hundred percent disability, and who is not eligible
9 for total exemption under sections 77-3526 to 77-3528 or the
10 unremarried widow or widower of a veteran described in this
11 subdivision (i);

12 (ii) An unremarried widow or widower of any veteran,
13 including a veteran other than a veteran described in section
14 80-401.01, who was discharged or otherwise separated with a
15 characterization of honorable or general (under honorable conditions)
16 and who died because of a service-connected disability;

17 (iii) An unremarried widow or widower of a serviceman or
18 servicewoman who died while on active duty during the periods
19 described in section 80-401.01; and

20 (iv) An unremarried widow or widower of a serviceman or
21 servicewoman, including a veteran other than a veteran described in
22 section 80-401.01, whose death while on active duty was service-
23 connected.

24 (c) The exemption described in subdivision (a) of this
25 subsection shall be based on the household income of a claimant

1 pursuant to subsections (2) through (4) of this section. Application
 2 for exemption under this section shall include certification of the
 3 status set forth in this section from the United States Department of
 4 Veterans Affairs.

5 (2) For ~~2000, 2012,~~ for a married or closely related
 6 claimant as described in subsection (1) of this section, the
 7 percentage of the exempt amount for which the claimant shall be
 8 eligible shall be the percentage in Column B which corresponds with
 9 the claimant's household income in Column A in the table found in
 10 this subsection.

11	Column A	Column B
12	Household Income	Percentage
13	In Dollars	Of Relief
14	0 through 24,700	100
15	24,701 through 25,900	85
16	25,901 through 27,100	70
17	27,101 through 28,300	55
18	28,301 through 29,500	40
19	29,501 through 30,700	25
20	30,701 and over	0

21	<u>Column A</u>	<u>Column B</u>
22	<u>Household Income</u>	<u>Percentage</u>
23	<u>In Dollars</u>	<u>Of Relief</u>

1	<u>0 through 28,800</u>	<u>100</u>
2	<u>28,801 through 30,150</u>	<u>85</u>
3	<u>30,151 through 31,590</u>	<u>70</u>
4	<u>31,591 through 32,940</u>	<u>55</u>
5	<u>32,941 through 34,380</u>	<u>40</u>
6	<u>34,381 through 35,730</u>	<u>25</u>
7	<u>35,731 and over</u>	<u>0</u>

8 (3) For ~~2000, 2012,~~ for a single claimant as described in
 9 subsection (1) of this section, the percentage of the exempt amount
 10 for which the claimant shall be eligible shall be the percentage in
 11 Column B which corresponds with the claimant's household income in
 12 Column A in the table found in this subsection.

13	Column A	Column B
14	Household Income	Percentage
15	In Dollars	Of Relief
16	0 through 21,600	100
17	21,601 through 22,600	85
18	22,601 through 23,600	70
19	23,601 through 24,600	55
20	24,601 through 25,600	40
21	25,601 through 26,600	25
22	26,601 and over	0

<u>Column A</u>	<u>Column B</u>
<u>Household Income</u>	<u>Percentage</u>
<u>In Dollars</u>	<u>Of Relief</u>
<u>0 through 25,110</u>	<u>100</u>
<u>25,111 through 26,280</u>	<u>85</u>
<u>26,281 through 27,450</u>	<u>70</u>
<u>27,451 through 28,620</u>	<u>55</u>
<u>28,621 through 29,790</u>	<u>40</u>
<u>29,791 through 30,960</u>	<u>25</u>
<u>30,961 and over</u>	<u>0</u>

(4) For exemption applications filed in calendar year ~~2001-2013~~ and each year thereafter, the income eligibility amounts in subsections (2) and (3) of this section shall be adjusted for inflation by the method provided in section 151 of the Internal Revenue Code. The income eligibility amounts shall be adjusted for cumulative inflation since ~~2000-2012~~. If any amount is not a multiple of one hundred dollars, the amount shall be rounded to the next lower multiple of one hundred dollars.

Sec. 4. This act becomes operative on January 1, 2012.

Sec. 5. Original sections 77-3507, 77-3508, and 77-3509, Reissue Revised Statutes of Nebraska, are repealed.