

E AND R AMENDMENTS TO LB1087

Introduced by Murante, 49, Chairman Enrollment and Review

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

3 Section 1. Section 77-3501, Reissue Revised Statutes of
4 Nebraska, is amended to read:

5 77-3501 For purposes of sections 77-3501 to 77-3529 and
6 section 5 of this act, unless the context otherwise requires, the
7 definitions found in sections 77-3501.01 to 77-3505.05 shall be
8 used.

9 Sec. 2. Section 77-3501.01, Reissue Revised Statutes of
10 Nebraska, is amended to read:

11 77-3501.01 (1) For purposes of section 77-3507, exempt
12 amount shall mean the lesser of (a) the taxable value of the
13 homestead or (b) one hundred percent of the average assessed value
14 of single-family residential property in the claimant's county of
15 residence as determined in section 77-3506.02 or forty thousand
16 dollars, whichever is greater.

17 (2) For purposes of sections 77-3508 and 77-3509, exempt
18 amount shall mean the lesser of (a) the taxable value of the
19 homestead or (b) one hundred twenty percent of the average assessed
20 value of single-family residential property in the claimant's
21 county of residence as determined in section 77-3506.02 or fifty
22 thousand dollars, whichever is greater.

23 (3) For purposes of section 5 of this act, exempt amount

1 shall mean the taxable value of the homestead.

2 Sec. 3. Section 77-3506.02, Reissue Revised Statutes of
3 Nebraska, is amended to read:

4 77-3506.02 After county board of equalization action
5 pursuant to sections 77-1502 to 77-1504.01 and on or before
6 September 1 each year, the county assessor shall certify to the
7 Department of Revenue the average assessed value of single-family
8 residential property in the county for the current year for
9 purposes of sections ~~77-3507 to 77-3509.~~ 77-3507, 77-3508, and
10 77-3509.

11 The county assessor shall determine the current average
12 assessed value of single-family residential property from all
13 real property records containing dwellings, mobile homes, and
14 duplexes all of which are designed for occupancy as single-family
15 residential property and any associated land not to exceed one
16 acre.

17 The county assessor shall also report to the Department
18 of Revenue the computed exempt amounts pursuant to section
19 77-3501.01.

20 Sec. 4. Section 77-3506.03, Reissue Revised Statutes of
21 Nebraska, is amended to read:

22 77-3506.03 For homesteads valued at or above the maximum
23 value, the exempt amount for any exemption under section 77-3507,
24 77-3508, or 77-3509 shall be reduced by ten percent for each two
25 thousand five hundred dollars of value by which the homestead
26 exceeds the maximum value and any homestead which exceeds the
27 maximum value by twenty thousand dollars or more is not eligible

1 for any exemption under ~~sections 77-3507 to 77-3509.~~ section
2 77-3507, 77-3508, or 77-3509. This section shall not apply to any
3 exemption under section 5 of this act.

4 Sec. 5. (1) All homesteads in this state shall be
5 assessed for taxation the same as other property, except that
6 there shall be exempt from taxation, on any homestead described in
7 subsection (2) of this section, one hundred percent of the exempt
8 amount.

9 (2) The exemption described in subsection (1) of this
10 section shall apply to homesteads of:

11 (a) A veteran who was discharged or otherwise separated
12 with a characterization of honorable or general (under honorable
13 conditions), who is drawing compensation from the United States
14 Department of Veterans Affairs because of one hundred percent
15 service-connected disability, and who is not eligible for total
16 exemption under sections 77-3526 to 77-3528 or the unremarried
17 widow or widower of a veteran described in this subdivision;

18 (b) An unremarried widow or widower of any veteran,
19 including a veteran other than a veteran described in section
20 80-401.01, who was discharged or otherwise separated with
21 a characterization of honorable or general (under honorable
22 conditions) and who died because of a service-connected disability;
23 and

24 (c) An unremarried widow or widower of a serviceman or
25 servicewoman, including a veteran other than a veteran described
26 in section 80-401.01, whose death while on active duty was
27 service-connected.

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

4 Sec. 6. Section 77-3509, Reissue Revised Statutes of
5 Nebraska, is amended to read:

6 77-3509 (1)(a) All homesteads in this state shall be
7 assessed for taxation the same as other property, except that
8 there shall be exempt from taxation, on any homestead described
9 in subdivision (b) of this subsection, a percentage of the exempt
10 amount as limited by section 77-3506.03.

11 (b) The exemption described in subdivision (a) of this
12 subsection shall apply to homesteads of ~~+(i)~~ A veteran described
13 in section ~~80-401.01~~ who was discharged or otherwise separated
14 with a characterization of honorable or general ~~(under honorable~~
15 ~~conditions)~~, who is drawing compensation from the United States
16 Department of Veterans Affairs because of one hundred percent
17 disability, and who is not eligible for total exemption under
18 sections ~~77-3526 to 77-3528~~ or the unremarried widow or widower of
19 a veteran described in this subdivision ~~(i)~~; ~~(ii)~~ An unremarried
20 widow or widower of any veteran, including a veteran other than
21 a veteran described in section ~~80-401.01~~, who was discharged
22 or otherwise separated with a characterization of honorable or
23 general ~~(under honorable conditions)~~ and who died because of a
24 ~~service-connected disability~~; ~~(iii)~~ An an unremarried widow or
25 widower of a serviceman or servicewoman who died while on active
26 duty during the periods described in section ~~80-401.01.~~ + and

27 ~~(iv)~~ An unremarried widow or widower of a serviceman or

1 ~~servicewoman, including a veteran other than a veteran described~~
2 ~~in section 80-401.01, whose death while on active duty was~~
3 ~~service-connected.~~

4 (c) The exemption described in subdivision (a) of
5 this subsection shall be based on the household income of a
6 claimant pursuant to subsections (2) through (4) of this section.
7 Application for exemption under this section shall include
8 certification of the status set forth in this section from the
9 United States Department of Veterans Affairs.

10 (2) For 2000, for a married or closely related claimant
11 as described in subsection (1) of this section, the percentage of
12 the exempt amount for which the claimant shall be eligible shall
13 be the percentage in Column B which corresponds with the claimant's
14 household income in Column A in the table found in this subsection.

15	Column A	Column B
16	Household Income	Percentage
17	In Dollars	Of Relief
18	0 through 24,700	100
19	24,701 through 25,900	85
20	25,901 through 27,100	70
21	27,101 through 28,300	55
22	28,301 through 29,500	40
23	29,501 through 30,700	25
24	30,701 and over	0

25 (3) For 2000, for a single claimant as described in
26 subsection (1) of this section, the percentage of the exempt amount
27 for which the claimant shall be eligible shall be the percentage in

1 Column B which corresponds with the claimant's household income in
2 Column A in the table found in this subsection.

3	Column A	Column B
4	Household Income	Percentage
5	In Dollars	Of Relief
6	0 through 21,600	100
7	21,601 through 22,600	85
8	22,601 through 23,600	70
9	23,601 through 24,600	55
10	24,601 through 25,600	40
11	25,601 through 26,600	25
12	26,601 and over	0

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

21 Sec. 7. Section 77-3509.01, Reissue Revised Statutes of
22 Nebraska, is amended to read:

23 77-3509.01 The owner of a homestead which has been
24 granted an exemption provided in sections 77-3507 to 77-3509 and
25 section 5 of this act, who becomes the owner of another homestead
26 prior to August 15 during the year for which the exemption was
27 granted, may file an application with the county assessor of the

1 county where the new homestead is located, on or before August
2 15 of such year, for a transfer of the exemption to the new
3 homestead. The county assessor shall examine each application and
4 determine whether or not the new homestead, except for the January
5 1 through August 15 ownership and occupancy requirement and the
6 income requirements, is eligible for exemption under sections
7 77-3507 to 77-3509 and section 5 of this act. If the application is
8 approved by the county assessor, he or she shall make a deduction
9 upon the assessment rolls using the same criteria as previously
10 applied to the original homestead. The county assessor may allow
11 the application for transfer to also be considered an application
12 for a homestead exemption for the subsequent year.

13 Sec. 8. Section 77-3509.02, Reissue Revised Statutes of
14 Nebraska, is amended to read:

15 77-3509.02 If the owner of any homestead granted an
16 exemption under sections 77-3507 to 77-3509 and section 5 of
17 this act becomes the owner of another homestead on or before
18 August 15 of any year pursuant to section 77-3509.01 and makes
19 the application for transfer of the homestead exemption and such
20 application is approved, the exemption shall be disallowed for such
21 year as applied to the original homestead if the exemption was
22 granted based on the status of such owner. If the transfer involves
23 property in more than one county, the county assessor of the county
24 where the new homestead is located shall notify the other county
25 assessor and the Department of Revenue of the application for
26 transfer within ten days after receipt of the application.

27 Sec. 9. Section 77-3509.03, Reissue Revised Statutes of

1 Nebraska, is amended to read:

2 77-3509.03 All property tax statements for homesteads
3 granted an exemption in sections 77-3507 to 77-3509 and section 5
4 of this act shall show the amount of the exemption, the tax that
5 would otherwise be due, and a statement that the tax loss shall be
6 reimbursed by the state as a homestead exemption.

7 Sec. 10. Section 77-3510, Reissue Revised Statutes of
8 Nebraska, is amended to read:

9 77-3510 On or before February 1 of each year, the Tax
10 Commissioner shall prescribe forms to be used by all claimants for
11 homestead exemption or for transfer of homestead exemption. Such
12 forms shall contain provisions for the showing of all information
13 which the Tax Commissioner may deem necessary to (1) enable the
14 county officials and the Tax Commissioner to determine whether
15 each claim for exemption under sections 77-3507 to 77-3509 and
16 section 5 of this act should be allowed and (2) enable the
17 county assessor to determine whether each claim for transfer
18 of homestead exemption pursuant to section 77-3509.01 should be
19 allowed. It shall be the duty of the county assessor of each
20 county in this state to furnish such forms, upon request, to
21 each person desiring to make application for homestead exemption
22 or for transfer of homestead exemption. The forms so prescribed
23 shall be used uniformly throughout the state, and no application
24 for exemption or for transfer of homestead exemption shall be
25 allowed unless the applicant uses the prescribed form in making an
26 application. The forms shall require the attachment of an income
27 statement for any applicant seeking an exemption under section

1 77-3507, 77-3508, or 77-3509 as prescribed by the Tax Commissioner
2 fully accounting for all household income. The Tax Commissioner
3 shall provide to each county assessor printed claim forms and
4 address lists of applicants from the prior year. The application
5 and information contained on any attachments to the application
6 shall be confidential and available to tax officials only.

7 Sec. 11. Section 77-3511, Reissue Revised Statutes of
8 Nebraska, is amended to read:

9 77-3511 The application for homestead exemption or for
10 transfer of homestead exemption shall be signed by the owner of
11 the property who qualifies for exemption under sections 77-3501
12 to 77-3529 and section 5 of this act unless the owner is an
13 incompetent or unable to make such application, in which case it
14 shall be signed by the guardian. If an owner who in all respects
15 qualifies for a homestead exemption under such sections dies after
16 January 1 and before the last day for filing an application for a
17 homestead exemption and before applying for a homestead exemption,
18 his or her personal representative may file the application for
19 exemption on or before the last day for filing an application for
20 a homestead exemption of that year if the surviving spouse of such
21 owner continues to occupy the homestead. Any exemption granted as
22 a result of such application signed by a personal representative
23 shall be in effect for only the year in which the owner died.

24 Sec. 12. Section 77-3512, Reissue Revised Statutes of
25 Nebraska, is amended to read:

26 77-3512 It shall be the duty of each owner who applies
27 for the homestead exemption provided in sections 77-3507 to 77-3509

1 and section 5 of this act to file an application therefor with the
2 county assessor of the county in which the homestead is located
3 after February 1 and on or before June 30 of each year. Failure
4 to do so shall constitute a waiver of the exemption for that year,
5 except that:

6 (1) The county board of the county in which the homestead
7 is located may, by majority vote, extend the deadline for an
8 applicant to on or before July 20. An extension shall not
9 be granted to an applicant who received an extension in the
10 immediately preceding year; and

11 (2) An owner may file a late application pursuant to
12 section 77-3514.01 if he or she includes documentation of a
13 medical condition which impaired the owner's ability to file the
14 application in a timely manner.

15 Sec. 13. Section 77-3513, Reissue Revised Statutes of
16 Nebraska, is amended to read:

17 77-3513 (1) Except as required by section 77-3514, if
18 an owner is granted a homestead exemption as provided in section
19 77-3507 or 77-3509 or section 5 of this act or subdivision
20 (1)(b)(ii) or (iii) of section 77-3508, no reapplication need be
21 filed for succeeding years, in which case the county assessor and
22 Tax Commissioner shall determine whether the claimant qualifies
23 for the homestead exemption in such succeeding years as otherwise
24 provided in sections 77-3501 to 77-3529 and section 5 of this act
25 as though a claim were made.

26 (2) It shall be the duty of each claimant who wants the
27 homestead exemption provided in subdivision (1)(b)(i) of section

1 77-3508 to file an application therefor with the county assessor on
2 or before June 30 of each year. Failure to do so shall constitute a
3 waiver of the exemption for such year, except that:

4 (a) The county board of the county in which the homestead
5 is located may, by majority vote, extend the deadline for an
6 applicant to on or before July 20. An extension shall not
7 be granted to an applicant who received an extension in the
8 immediately preceding year; and

9 (b) A claimant may file a late application pursuant
10 to section 77-3514.01 if he or she includes documentation of a
11 medical condition which impaired the claimant's ability to file the
12 application in a timely manner.

13 (3) The county assessor shall mail a notice on or before
14 April 1 to claimants who are the owners of a homestead which
15 was granted an exemption under subdivision (1)(b)(i) of section
16 77-3508 in the preceding year unless the claimant has already filed
17 the application for the current year or the county assessor has
18 reason to believe there has been a change of circumstances so that
19 the claimant no longer qualifies. The notice shall include the
20 claimant's name, the application deadlines for the current year, a
21 list of documents that must be filed with the application, and the
22 county assessor's office address and telephone number.

23 Sec. 14. Section 77-3514, Reissue Revised Statutes of
24 Nebraska, is amended to read:

25 77-3514 A claimant who is the owner of a homestead
26 which has been granted an exemption under sections 77-3507 to
27 77-3509 and section 5 of this act, except subdivision (1)(b)(i)

1 of section 77-3508, shall certify to the county assessor on or
2 before June 30 of each year that a change in the homestead
3 exemption status has occurred or that no change in the homestead
4 exemption status has occurred. The county board of the county in
5 which the homestead is located may, by majority vote, extend the
6 deadline for certification by a claimant to on or before July 20.
7 An extension shall not be granted to an applicant who received
8 an extension in the immediately preceding year. In addition, a
9 claimant may make such certification late pursuant to section
10 77-3514.01 if he or she includes documentation of a medical
11 condition which impaired the claimant's ability to certify in a
12 timely manner. The county assessor shall mail a notice on or
13 before April 1 to claimants who are the owners of a homestead
14 which has been granted an exemption under sections 77-3507 to
15 77-3509 and section 5 of this act, except subdivision (1)(b)(i)
16 of section 77-3508, in the preceding year unless the claimant
17 has already filed the certification for the current year or the
18 county assessor has reason to believe there has been a change of
19 circumstances so that the claimant no longer qualifies. The notice
20 shall include the claimant's name, the certification deadlines for
21 the current year, a list of documents that must be filed with
22 the certification, and the county assessor's office address and
23 telephone number. For purposes of this section, change in the
24 homestead exemption status shall include any change in the name of
25 the owner, ownership, residence, occupancy, marital status, veteran
26 status, or rating by the United States Department of Veterans
27 Affairs or any other change that would affect the qualification

1 for or type of exemption granted, except income checked by the Tax
2 Commissioner under section 77-3517. The certificate shall require
3 the attachment of an income statement for exemptions under sections
4 77-3507, 77-3508, and 77-3509 as prescribed by the Tax Commissioner
5 fully accounting for all household income. The certification and
6 the information contained on any attachments to the certification
7 shall be confidential and available to tax officials only. In
8 addition, a claimant who is the owner of a homestead which has been
9 granted an exemption under sections 77-3507 to 77-3509 and section
10 5 of this act may notify the county assessor by August 15 of each
11 year of any change in the homestead exemption status occurring
12 in the preceding portion of the calendar year as a result of a
13 transfer of the homestead exemption pursuant to sections 77-3509.01
14 and 77-3509.02. If by his or her failure to give such notice any
15 property owner permits the allowance of the homestead exemption for
16 any year, or in the year of application in the case of transfers
17 pursuant to sections 77-3509.01 and 77-3509.02, after the homestead
18 exemption status of such property has changed, an amount equal to
19 the amount of the taxes lawfully due but not paid by reason of such
20 unlawful and improper allowance of homestead exemption, together
21 with penalty and interest on such total sum as provided by statute
22 on delinquent ad valorem taxes, shall be due and shall upon entry
23 of the amount thereof on the books of the county treasurer be
24 a lien on such property while unpaid. Such lien may be enforced
25 in the manner provided for liens for other delinquent taxes. Any
26 person who has permitted the improper and unlawful allowance of
27 such homestead exemption on his or her property shall, as an

1 additional penalty, also forfeit his or her right to a homestead
2 exemption on any property in this state for the two succeeding
3 years.

4 Sec. 15. Section 77-3516, Reissue Revised Statutes of
5 Nebraska, is amended to read:

6 77-3516 The county assessor shall examine each
7 application for homestead exemption filed with him or her for an
8 exemption pursuant to sections 77-3507 to 77-3509 and section 5 of
9 this act and shall determine, except for the income requirements,
10 whether or not such application should be approved or rejected. If
11 the application is approved, the county assessor shall mark the
12 same approved and sign the application. In case he or she finds
13 that the exemption should not be allowed by reason of not being in
14 conformity to law, the county assessor shall mark the application
15 rejected and state thereon the reason for such rejection and sign
16 the application. In any case when the county assessor rejects an
17 application for exemption, he or she shall notify the applicant
18 of such action by mailing written notice to the applicant at the
19 address shown in the application, which notice shall be mailed
20 not later than July 31 of each year, except that in cases of a
21 change in ownership or occupancy from January 1 through August 15
22 or a late application authorized by the county board or permitted
23 because of a medical condition which impaired the applicant's
24 ability to file in a timely manner, the notice shall be sent within
25 a reasonable time. The notice shall be on forms prescribed by the
26 Tax Commissioner.

27 Sec. 16. Section 77-3517, Revised Statutes Cumulative

1 Supplement, 2012, is amended to read:

2 77-3517 (1) On or before August 1 of each year,
3 the county assessor shall forward the approved applications for
4 homestead exemptions and a copy of the certification of disability
5 status that have been examined pursuant to section 77-3516 to
6 the Tax Commissioner. The Tax Commissioner shall determine if
7 the applicant meets the income requirements and may also review
8 any other application information he or she deems necessary in
9 order to determine whether the application should be approved. The
10 Tax Commissioner shall, on or before November 1, certify his or
11 her determinations to the county assessor. If the application is
12 approved, the county assessor shall make the proper deduction on
13 the assessment rolls. If the application is denied or approved in
14 part, the Tax Commissioner shall notify the applicant of the denial
15 or partial approval by mailing written notice to the applicant at
16 the address shown on the application. The applicant may appeal the
17 Tax Commissioner's denial or partial approval pursuant to section
18 77-3520. Late applications authorized by the county board shall
19 be processed in a similar manner after approval by the county
20 assessor.

21 (2) (a) Upon his or her own action or upon a request by
22 an applicant, a spouse, or an owner-occupant, the Tax Commissioner
23 may review any information necessary to determine whether an
24 application is in compliance with sections 77-3501 to 77-3529 and
25 section 5 of this act. Any action taken by the Tax Commissioner
26 pursuant to this subsection shall be taken within three years after
27 December 31 of the year in which the exemption was claimed.

1 (b) If after completion of the review the Tax
2 Commissioner determines that an exemption should have been approved
3 or increased, the Tax Commissioner shall notify the applicant,
4 spouse, or owner-occupant and the county treasurer and assessor of
5 his or her determination. The applicant, spouse, or owner-occupant
6 shall receive a refund of the tax, if any, that was paid as a
7 result of the exemption being denied, in whole or in part. The
8 county treasurer shall make the refund and shall amend the county's
9 claim for reimbursement from the state.

10 (c) If after completion of the review the Tax
11 Commissioner determines that an exemption should have been denied
12 or reduced, the Tax Commissioner shall notify the applicant,
13 spouse, or owner-occupant of such denial or reduction. The
14 applicant, the spouse, and any owner-occupant may appeal the Tax
15 Commissioner's denial or reduction pursuant to section 77-3520.
16 Upon the expiration of the appeal period in section 77-3520, the
17 Tax Commissioner shall notify the county assessor of the denial
18 or reduction and the county assessor shall remove or reduce the
19 exemption from the tax rolls of the county. Upon notification by
20 the Tax Commissioner to the county assessor, the amount of tax due
21 as a result of the action of the Tax Commissioner shall become a
22 lien on the homestead until paid. Upon attachment of the lien, the
23 county treasurer shall refund to the Tax Commissioner the amount of
24 tax equal to the denied or reduced exemption for deposit into the
25 General Fund. No lien shall be created if a change in ownership of
26 the homestead or death of the applicant, the spouse, and all other
27 owner-occupants has occurred prior to the Tax Commissioner's notice

1 to the county assessor.

2 Sec. 17. Section 77-3521, Reissue Revised Statutes of
3 Nebraska, is amended to read:

4 77-3521 It shall be the duty of the Tax Commissioner to
5 adopt and promulgate rules and regulations for the information and
6 guidance of the county assessors and county boards of equalization,
7 not inconsistent with sections 77-3501 to 77-3529 and section 5
8 of this act, affecting the application, hearing, assessment, or
9 equalization of property which is claimed to be entitled to the
10 exemption granted by such sections.

11 Sec. 18. Section 77-3522, Reissue Revised Statutes of
12 Nebraska, is amended to read:

13 77-3522 (1) Any person who makes any false or fraudulent
14 claim for exemption or any false statement or false representation
15 of a material fact in support of such claim or any person who
16 assists another in the preparation of any such false or fraudulent
17 claim or enters into any collusion with another by the execution of
18 a fictitious deed or other instrument for the purpose of obtaining
19 unlawful exemption under sections 77-3501 to 77-3529 and section 5
20 of this act shall be guilty of a Class II misdemeanor and shall
21 be subject to a forfeiture of any such exemption for a period of
22 two years from the date of conviction. Any person who shall make
23 an oath or affirmation to any false or fraudulent application for
24 homestead exemption knowing the same to be false or fraudulent
25 shall be guilty of a Class I misdemeanor.

26 (2) In addition to the penalty provided in subsection
27 (1) of this section, if any person files a claim for exemption

1 as provided in section 77-3507, 77-3508, or 77-3509 or section 5
2 of this act which is excessive due to misstatements by the owner
3 filing such claim, the claim may be disallowed in full and, if the
4 claim has been allowed, an amount equal to the amount of taxes
5 lawfully due but not paid by reason of such unlawful and improper
6 allowance of homestead exemption shall be due and shall upon entry
7 of the amount thereof on the books of the county treasurer be a
8 lien on such property until paid and a penalty equal to the amount
9 of taxes lawfully due but claimed for exemption shall be assessed.

10 Sec. 19. Section 77-3523, Reissue Revised Statutes of
11 Nebraska, is amended to read:

12 77-3523 The county treasurer shall, on or before November
13 30 of each year, certify to the Tax Commissioner the total tax
14 revenue that will be lost to all taxing agencies within his or
15 her county from taxes levied and assessed in that year because of
16 exemptions allowed under sections 77-3501 to 77-3529 and section 5
17 of this act. The county treasurer may amend the certification to
18 show any change or correction in the total tax that will be lost
19 until May 30 of the next succeeding year. If a homestead exemption
20 is approved, denied, or corrected by the Tax Commissioner under
21 subsection (2) of section 77-3517 after May 1 of the next year,
22 the county treasurer shall prepare and submit amended reports to
23 the Tax Commissioner and the political subdivisions covering any
24 affected year and shall adjust the reimbursement to the county and
25 the other political subdivisions by adjusting the reimbursement due
26 under this section in later years. The Tax Commissioner shall, on
27 or before January 1 next following such certification or within

1 thirty days of any amendment to the certification, notify the
2 Director of Administrative Services of the amount so certified to
3 be reimbursed by the state. Reimbursement of the funds lost shall
4 be made to each county according to the certification and shall
5 be distributed in six as nearly as possible equal monthly payments
6 on the last business day of each month beginning in January. The
7 State Treasurer shall, on the business day preceding the last
8 business day of each month, notify the Director of Administrative
9 Services of the amount of funds available in the General Fund for
10 payment purposes. The Director of Administrative Services shall, on
11 the last business day of each month, draw warrants against funds
12 appropriated. Out of the amount so received the county treasurer
13 shall distribute to each of the taxing agencies within his or her
14 county the full amount so lost by such agency, except that one
15 percent of such amount shall be deposited in the county general
16 fund and that the amount due a Class V school district shall be
17 paid to the district and the county shall be compensated pursuant
18 to section 14-554. Each taxing agency shall, in preparing its
19 annual or biennial budget, take into account the amount to be
20 received under this section.

21 Sec. 20. Section 77-3529, Reissue Revised Statutes of
22 Nebraska, is amended to read:

23 77-3529 If any application for exemption pursuant to
24 sections 77-3501 to 77-3529 and section 5 of this act is denied
25 and the applicant would be qualified for any other exemption under
26 such sections, then such denied application shall be treated as
27 an application for the highest exemption for which qualified. Any

1 additional documentation necessary for such other exemption shall
2 be submitted to the county assessor within a reasonable time after
3 receipt of the notice of denial.

4 Sec. 21. Section 77-4212, Reissue Revised Statutes of
5 Nebraska, is amended to read:

6 77-4212 (1) For tax year 2007, the amount of relief
7 granted under the Property Tax Credit Act shall be one hundred five
8 million dollars. For tax year 2008, the amount of relief granted
9 under the act shall be one hundred fifteen million dollars. It is
10 the intent of the Legislature to fund the Property Tax Credit Act
11 for tax years after tax year 2008 using available revenue. The
12 relief shall be in the form of a property tax credit which appears
13 on the property tax statement.

14 (2) To determine the amount of the property tax credit,
15 the county treasurer shall multiply the amount disbursed to the
16 county under subsection (4) of this section by the ratio of the
17 real property valuation of the parcel to the total real property
18 valuation in the county. The amount determined shall be the
19 property tax credit for the property.

20 (3) If the real property owner qualifies for a homestead
21 exemption under sections 77-3501 to 77-3529 and section 5 of this
22 act, the owner shall also be qualified for the relief provided in
23 the act to the extent of any remaining liability after calculation
24 of the relief provided by the homestead exemption. If the credit
25 results in a property tax liability on the homestead that is less
26 than zero, the amount of the credit which cannot be used by the
27 taxpayer shall be returned to the State Treasurer by July 1 of the

1 year the amount disbursed to the county was disbursed. The State
2 Treasurer shall immediately credit any funds returned under this
3 section to the Property Tax Credit Cash Fund.

4 (4) The amount disbursed to each county shall be equal to
5 the amount available for disbursement determined under subsection
6 (1) of this section multiplied by the ratio of the real property
7 valuation in the county to the real property valuation in the
8 state. By September 15, the Property Tax Administrator shall
9 determine the amount to be disbursed under this subsection to each
10 county and certify such amounts to the State Treasurer and to each
11 county. The disbursements to the counties shall occur in two equal
12 payments, the first on or before January 31 and the second on or
13 before April 1. After retaining one percent of the receipts for
14 costs, the county treasurer shall allocate the remaining receipts
15 to each taxing unit levying taxes on taxable property in the
16 tax district in which the real property is located in the same
17 proportion that the levy of such taxing unit bears to the total
18 levy on taxable property of all the taxing units in the tax
19 district in which the real property is located.

20 (5) The State Treasurer shall transfer from the General
21 Fund to the Property Tax Credit Cash Fund one hundred five million
22 dollars by August 1, 2007, and one hundred fifteen million dollars
23 by August 1, 2008.

24 (6) The Legislature shall have the power to transfer
25 funds from the Property Tax Credit Cash Fund to the General Fund.

26 Sec. 22. This act becomes operative on January 1, 2015.

27 Sec. 23. Original sections 77-3501, 77-3501.01,

1 77-3506.02, 77-3506.03, 77-3509, 77-3509.01, 77-3509.02,
2 77-3509.03, 77-3510, 77-3511, 77-3512, 77-3513, 77-3514,
3 77-3516, 77-3521, 77-3522, 77-3523, 77-3529, and 77-4212, Reissue
4 Revised Statutes of Nebraska, and section 77-3517, Revised Statutes
5 Cumulative Supplement, 2012, are repealed.
6 2. On page 1, line 2, after "77-3501.01," insert
7 "77-3506.02,".