

LEGISLATURE OF NEBRASKA
ONE HUNDRED THIRD LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 1087

Final Reading

Introduced by Pirsch, 4.

Read first time January 22, 2014

Committee: Revenue

A BILL

1 FOR AN ACT relating to revenue and taxation; to amend sections
2 77-3501, 77-3501.01, 77-3506.02, 77-3506.03, 77-3509,
3 77-3509.01, 77-3509.02, 77-3509.03, 77-3510, 77-3511,
4 77-3512, 77-3513, 77-3514, 77-3516, 77-3521, 77-3522,
5 77-3523, 77-3529, and 77-4212, Reissue Revised Statutes
6 of Nebraska, and section 77-3517, Revised Statutes
7 Cumulative Supplement, 2012; to create a homestead
8 exemption for disabled veterans and widows and widowers
9 as prescribed; to harmonize provisions; to provide an
10 operative date; and to repeal the original sections.
11 Be it enacted by the people of the State of Nebraska,

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

3 77-3501 For purposes of sections 77-3501 to 77-3529 and
4 section 5 of this act, unless the context otherwise requires, the
5 definitions found in sections 77-3501.01 to 77-3505.05 shall be used.

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

8 77-3501.01 (1) For purposes of section 77-3507, exempt
9 amount shall mean the lesser of (a) the taxable value of the
10 homestead or (b) one hundred percent of the average assessed value of
11 single-family residential property in the claimant's county of
12 residence as determined in section 77-3506.02 or forty thousand
13 dollars, whichever is greater.

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

20 (3) For purposes of section 5 of this act, exempt amount
21 shall mean the taxable value of the homestead.

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

24 77-3506.02 After county board of equalization action
25 pursuant to sections 77-1502 to 77-1504.01 and on or before September

1 1 each year, the county assessor shall certify to the Department of
2 Revenue the average assessed value of single-family residential
3 property in the county for the current year for purposes of sections
4 ~~77-3507 to 77-3509.~~ 77-3507, 77-3508, and 77-3509.

5 The county assessor shall determine the current average
6 assessed value of single-family residential property from all real
7 property records containing dwellings, mobile homes, and duplexes all
8 of which are designed for occupancy as single-family residential
9 property and any associated land not to exceed one acre.

10 The county assessor shall also report to the Department
11 of Revenue the computed exempt amounts pursuant to section
12 77-3501.01.

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

15 77-3506.03 For homesteads valued at or above the maximum
16 value, the exempt amount for any exemption under section 77-3507,
17 77-3508, or 77-3509 shall be reduced by ten percent for each two
18 thousand five hundred dollars of value by which the homestead exceeds
19 the maximum value and any homestead which exceeds the maximum value
20 by twenty thousand dollars or more is not eligible for any exemption
21 under ~~sections 77-3507 to 77-3509.~~ section 77-3507, 77-3508, or
22 77-3509. This section shall not apply to any exemption under section
23 5 of this act.

24 Sec. 5. (1) All homesteads in this state shall be
25 assessed for taxation the same as other property, except that there

1 shall be exempt from taxation, on any homestead described in
2 subsection (2) of this section, one hundred percent of the exempt
3 amount.

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

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

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

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

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

25 Sec. 6. Section 77-3509, Reissue Revised Statutes of

1 Nebraska, is amended to read:

2 77-3509 (1)(a) All homesteads in this state shall be
3 assessed for taxation the same as other property, except that there
4 shall be exempt from taxation, on any homestead described in
5 subdivision (b) of this subsection, a percentage of the exempt amount
6 as limited by section 77-3506.03.

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

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

1 ~~connected.~~

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

8 (2) For 2000, for a married or closely related claimant
 9 as described in subsection (1) of this section, the percentage of the
 10 exempt amount for which the claimant shall be eligible shall be the
 11 percentage in Column B which corresponds with the claimant's
 12 household income in 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 24,700	100
17	24,701 through 25,900	85
18	25,901 through 27,100	70
19	27,101 through 28,300	55
20	28,301 through 29,500	40
21	29,501 through 30,700	25
22	30,701 and over	0

23 (3) For 2000, for a single claimant as described in
 24 subsection (1) of this section, the percentage of the exempt amount

1 for which the claimant shall be eligible shall be the percentage in
 2 Column B which corresponds with the claimant's household income in
 3 Column A in the table found in this subsection.

4	Column A	Column B
5	Household Income	Percentage
6	In Dollars	Of Relief
7	0 through 21,600	100
8	21,601 through 22,600	85
9	22,601 through 23,600	70
10	23,601 through 24,600	55
11	24,601 through 25,600	40
12	25,601 through 26,600	25
13	26,601 and over	0

14 (4) For exemption applications filed in calendar year
 15 2001 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. If any amount is not a multiple of
 20 one hundred dollars, the amount shall be rounded to the next lower
 21 multiple of one hundred dollars.

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

24 77-3509.01 The owner of a homestead which has been

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

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

19 77-3509.02 If the owner of any homestead granted an
20 exemption under sections 77-3507 to 77-3509 and section 5 of this act
21 becomes the owner of another homestead on or before August 15 of any
22 year pursuant to section 77-3509.01 and makes the application for
23 transfer of the homestead exemption and such application is approved,
24 the exemption shall be disallowed for such year as applied to the
25 original homestead if the exemption was granted based on the status

1 of such owner. If the transfer involves property in more than one
2 county, the county assessor of the county where the new homestead is
3 located shall notify the other county assessor and the Department of
4 Revenue of the application for transfer within ten days after receipt
5 of the application.

6 Sec. 9. Section 77-3509.03, Reissue Revised Statutes of
7 Nebraska, is amended to read:

8 77-3509.03 All property tax statements for homesteads
9 granted an exemption in sections 77-3507 to 77-3509 and section 5 of
10 this act shall show the amount of the exemption, the tax that would
11 otherwise be due, and a statement that the tax loss shall be
12 reimbursed by the state as a homestead exemption.

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

15 77-3510 On or before February 1 of each year, the Tax
16 Commissioner shall prescribe forms to be used by all claimants for
17 homestead exemption or for transfer of homestead exemption. Such
18 forms shall contain provisions for the showing of all information
19 which the Tax Commissioner may deem necessary to (1) enable the
20 county officials and the Tax Commissioner to determine whether each
21 claim for exemption under sections 77-3507 to 77-3509 and section 5
22 of this act should be allowed and (2) enable the county assessor to
23 determine whether each claim for transfer of homestead exemption
24 pursuant to section 77-3509.01 should be allowed. It shall be the
25 duty of the county assessor of each county in this state to furnish

1 such forms, upon request, to each person desiring to make application
2 for homestead exemption or for transfer of homestead exemption. The
3 forms so prescribed shall be used uniformly throughout the state, and
4 no application for exemption or for transfer of homestead exemption
5 shall be allowed unless the applicant uses the prescribed form in
6 making an application. The forms shall require the attachment of an
7 income statement for any applicant seeking an exemption under section
8 77-3507, 77-3508, or 77-3509 as prescribed by the Tax Commissioner
9 fully accounting for all household income. The Tax Commissioner shall
10 provide to each county assessor printed claim forms and address lists
11 of applicants from the prior year. The application and information
12 contained on any attachments to the application shall be confidential
13 and available to tax officials only.

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

16 77-3511 The application for homestead exemption or for
17 transfer of homestead exemption shall be signed by the owner of the
18 property who qualifies for exemption under sections 77-3501 to
19 77-3529 and section 5 of this act unless the owner is an incompetent
20 or unable to make such application, in which case it shall be signed
21 by the guardian. If an owner who in all respects qualifies for a
22 homestead exemption under such sections dies after January 1 and
23 before the last day for filing an application for a homestead
24 exemption and before applying for a homestead exemption, his or her
25 personal representative may file the application for exemption on or

1 before the last day for filing an application for a homestead
2 exemption of that year if the surviving spouse of such owner
3 continues to occupy the homestead. Any exemption granted as a result
4 of such application signed by a personal representative shall be in
5 effect for only the year in which the owner died.

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

8 77-3512 It shall be the duty of each owner who applies
9 for the homestead exemption provided in sections 77-3507 to 77-3509
10 and section 5 of this act to file an application therefor with the
11 county assessor of the county in which the homestead is located after
12 February 1 and on or before June 30 of each year. Failure to do so
13 shall constitute a waiver of the exemption for that year, except
14 that:

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

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

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

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

10 (2) It shall be the duty of each claimant who wants the
11 homestead exemption provided in subdivision (1)(b)(i) of section
12 77-3508 to file an application therefor with the county assessor on
13 or before June 30 of each year. Failure to do so shall constitute a
14 waiver of the exemption for such year, except that:

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

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

24 (3) The county assessor shall mail a notice on or before
25 April 1 to claimants who are the owners of a homestead which was

1 granted an exemption under subdivision (1)(b)(i) of section 77-3508
2 in the preceding year unless the claimant has already filed the
3 application for the current year or the county assessor has reason to
4 believe there has been a change of circumstances so that the claimant
5 no longer qualifies. The notice shall include the claimant's name,
6 the application deadlines for the current year, a list of documents
7 that must be filed with the application, and the county assessor's
8 office address and telephone number.

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

11 77-3514 A claimant who is the owner of a homestead which
12 has been granted an exemption under sections 77-3507 to 77-3509 and
13 section 5 of this act, except subdivision (1)(b)(i) of section
14 77-3508, shall certify to the county assessor on or before June 30 of
15 each year that a change in the homestead exemption status has
16 occurred or that no change in the homestead exemption status has
17 occurred. The county board of the county in which the homestead is
18 located may, by majority vote, extend the deadline for certification
19 by a claimant to on or before July 20. An extension shall not be
20 granted to an applicant who received an extension in the immediately
21 preceding year. In addition, a claimant may make such certification
22 late pursuant to section 77-3514.01 if he or she includes
23 documentation of a medical condition which impaired the claimant's
24 ability to certify in a timely manner. The county assessor shall mail
25 a notice on or before April 1 to claimants who are the owners of a

1 homestead which has been granted an exemption under sections 77-3507
2 to 77-3509 and section 5 of this act, except subdivision (1)(b)(i) of
3 section 77-3508, in the preceding year unless the claimant has
4 already filed the certification for the current year or the county
5 assessor has reason to believe there has been a change of
6 circumstances so that the claimant no longer qualifies. The notice
7 shall include the claimant's name, the certification deadlines for
8 the current year, a list of documents that must be filed with the
9 certification, and the county assessor's office address and telephone
10 number. For purposes of this section, change in the homestead
11 exemption status shall include any change in the name of the owner,
12 ownership, residence, occupancy, marital status, veteran status, or
13 rating by the United States Department of Veterans Affairs or any
14 other change that would affect the qualification for or type of
15 exemption granted, except income checked by the Tax Commissioner
16 under section 77-3517. The certificate shall require the attachment
17 of an income statement for exemptions under sections 77-3507,
18 77-3508, and 77-3509 as prescribed by the Tax Commissioner fully
19 accounting for all household income. The certification and the
20 information contained on any attachments to the certification shall
21 be confidential and available to tax officials only. In addition, a
22 claimant who is the owner of a homestead which has been granted an
23 exemption under sections 77-3507 to 77-3509 and section 5 of this act
24 may notify the county assessor by August 15 of each year of any
25 change in the homestead exemption status occurring in the preceding

1 portion of the calendar year as a result of a transfer of the
2 homestead exemption pursuant to sections 77-3509.01 and 77-3509.02.
3 If by his or her failure to give such notice any property owner
4 permits the allowance of the homestead exemption for any year, or in
5 the year of application in the case of transfers pursuant to sections
6 77-3509.01 and 77-3509.02, after the homestead exemption status of
7 such property has changed, an amount equal to the amount of the taxes
8 lawfully due but not paid by reason of such unlawful and improper
9 allowance of homestead exemption, together with penalty and interest
10 on such total sum as provided by statute on delinquent ad valorem
11 taxes, shall be due and shall upon entry of the amount thereof on the
12 books of the county treasurer be a lien on such property while
13 unpaid. Such lien may be enforced in the manner provided for liens
14 for other delinquent taxes. Any person who has permitted the improper
15 and unlawful allowance of such homestead exemption on his or her
16 property shall, as an additional penalty, also forfeit his or her
17 right to a homestead exemption on any property in this state for the
18 two succeeding years.

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

21 77-3516 The county assessor shall examine each
22 application for homestead exemption filed with him or her for an
23 exemption pursuant to sections 77-3507 to 77-3509 and section 5 of
24 this act and shall determine, except for the income requirements,
25 whether or not such application should be approved or rejected. If

1 the application is approved, the county assessor shall mark the same
2 approved and sign the application. In case he or she finds that the
3 exemption should not be allowed by reason of not being in conformity
4 to law, the county assessor shall mark the application rejected and
5 state thereon the reason for such rejection and sign the application.
6 In any case when the county assessor rejects an application for
7 exemption, he or she shall notify the applicant of such action by
8 mailing written notice to the applicant at the address shown in the
9 application, which notice shall be mailed not later than July 31 of
10 each year, except that in cases of a change in ownership or occupancy
11 from January 1 through August 15 or a late application authorized by
12 the county board or permitted because of a medical condition which
13 impaired the applicant's ability to file in a timely manner, the
14 notice shall be sent within a reasonable time. The notice shall be on
15 forms prescribed by the Tax Commissioner.

16 Sec. 16. Section 77-3517, Revised Statutes Cumulative
17 Supplement, 2012, is amended to read:

18 77-3517 (1) On or before August 1 of each year, the
19 county assessor shall forward the approved applications for homestead
20 exemptions and a copy of the certification of disability status that
21 have been examined pursuant to section 77-3516 to the Tax
22 Commissioner. The Tax Commissioner shall determine if the applicant
23 meets the income requirements and may also review any other
24 application information he or she deems necessary in order to
25 determine whether the application should be approved. The Tax

1 Commissioner shall, on or before November 1, certify his or her
2 determinations to the county assessor. If the application is
3 approved, the county assessor shall make the proper deduction on the
4 assessment rolls. If the application is denied or approved in part,
5 the Tax Commissioner shall notify the applicant of the denial or
6 partial approval by mailing written notice to the applicant at the
7 address shown on the application. The applicant may appeal the Tax
8 Commissioner's denial or partial approval pursuant to section
9 77-3520. Late applications authorized by the county board shall be
10 processed in a similar manner after approval by the county assessor.

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

18 (b) If after completion of the review the Tax
19 Commissioner determines that an exemption should have been approved
20 or increased, the Tax Commissioner shall notify the applicant,
21 spouse, or owner-occupant and the county treasurer and assessor of
22 his or her determination. The applicant, spouse, or owner-occupant
23 shall receive a refund of the tax, if any, that was paid as a result
24 of the exemption being denied, in whole or in part. The county
25 treasurer shall make the refund and shall amend the county's claim

1 for reimbursement from the state.

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

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

22 77-3521 It shall be the duty of the Tax Commissioner to
23 adopt and promulgate rules and regulations for the information and
24 guidance of the county assessors and county boards of equalization,
25 not inconsistent with sections 77-3501 to 77-3529 and section 5 of

1 this act, affecting the application, hearing, assessment, or
2 equalization of property which is claimed to be entitled to the
3 exemption granted by such sections.

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

6 77-3522 (1) Any person who makes any false or fraudulent
7 claim for exemption or any false statement or false representation of
8 a material fact in support of such claim or any person who assists
9 another in the preparation of any such false or fraudulent claim or
10 enters into any collusion with another by the execution of a
11 fictitious deed or other instrument for the purpose of obtaining
12 unlawful exemption under sections 77-3501 to 77-3529 and section 5 of
13 this act shall be guilty of a Class II misdemeanor and shall be
14 subject to a forfeiture of any such exemption for a period of two
15 years from the date of conviction. Any person who shall make an oath
16 or affirmation to any false or fraudulent application for homestead
17 exemption knowing the same to be false or fraudulent shall be guilty
18 of a Class I misdemeanor.

19 (2) In addition to the penalty provided in subsection (1)
20 of this section, if any person files a claim for exemption as
21 provided in section 77-3507, 77-3508, or 77-3509 or section 5 of this
22 act which is excessive due to misstatements by the owner filing such
23 claim, the claim may be disallowed in full and, if the claim has been
24 allowed, an amount equal to the amount of taxes lawfully due but not
25 paid by reason of such unlawful and improper allowance of homestead

1 exemption shall be due and shall upon entry of the amount thereof on
2 the books of the county treasurer be a lien on such property until
3 paid and a penalty equal to the amount of taxes lawfully due but
4 claimed for exemption shall be assessed.

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

7 77-3523 The county treasurer shall, on or before November
8 30 of each year, certify to the Tax Commissioner the total tax
9 revenue that will be lost to all taxing agencies within his or her
10 county from taxes levied and assessed in that year because of
11 exemptions allowed under sections 77-3501 to 77-3529 and section 5 of
12 this act. The county treasurer may amend the certification to show
13 any change or correction in the total tax that will be lost until May
14 30 of the next succeeding year. If a homestead exemption is approved,
15 denied, or corrected by the Tax Commissioner under subsection (2) of
16 section 77-3517 after May 1 of the next year, the county treasurer
17 shall prepare and submit amended reports to the Tax Commissioner and
18 the political subdivisions covering any affected year and shall
19 adjust the reimbursement to the county and the other political
20 subdivisions by adjusting the reimbursement due under this section in
21 later years. The Tax Commissioner shall, on or before January 1 next
22 following such certification or within thirty days of any amendment
23 to the certification, notify the Director of Administrative Services
24 of the amount so certified to be reimbursed by the state.
25 Reimbursement of the funds lost shall be made to each county

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

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

19 77-3529 If any application for exemption pursuant to
20 sections 77-3501 to 77-3529 and section 5 of this act is denied and
21 the applicant would be qualified for any other exemption under such
22 sections, then such denied application shall be treated as an
23 application for the highest exemption for which qualified. Any
24 additional documentation necessary for such other exemption shall be
25 submitted to the county assessor within a reasonable time after

1 receipt of the notice of denial.

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

4 77-4212 (1) For tax year 2007, the amount of relief
5 granted under the Property Tax Credit Act shall be one hundred five
6 million dollars. For tax year 2008, the amount of relief granted
7 under the act shall be one hundred fifteen million dollars. It is the
8 intent of the Legislature to fund the Property Tax Credit Act for tax
9 years after tax year 2008 using available revenue. The relief shall
10 be in the form of a property tax credit which appears on the property
11 tax statement.

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

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

1 disbursed to the county was disbursed. The State Treasurer shall
2 immediately credit any funds returned under this section to the
3 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 (1)
6 of this section multiplied by the ratio of the real property
7 valuation in the county to the real property valuation in the state.
8 By September 15, the Property Tax Administrator shall determine the
9 amount to be disbursed under this subsection to each county and
10 certify such amounts to the State Treasurer and to each county. The
11 disbursements to the counties shall occur in two equal payments, the
12 first on or before January 31 and the second on or before April 1.
13 After retaining one percent of the receipts for costs, the county
14 treasurer shall allocate the remaining receipts to each taxing unit
15 levying taxes on taxable property in the tax district in which the
16 real property is located in the same proportion that the levy of such
17 taxing unit bears to the total levy on taxable property of all the
18 taxing units in the tax district in which the real property is
19 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 by
23 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.

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

2 Sec. 23. Original sections 77-3501, 77-3501.01,
3 77-3506.02, 77-3506.03, 77-3509, 77-3509.01, 77-3509.02, 77-3509.03,
4 77-3510, 77-3511, 77-3512, 77-3513, 77-3514, 77-3516, 77-3521,
5 77-3522, 77-3523, 77-3529, and 77-4212, Reissue Revised Statutes of
6 Nebraska, and section 77-3517, Revised Statutes Cumulative
7 Supplement, 2012, are repealed.