LEGISLATURE OF NEBRASKA

ONE HUNDRED THIRD LEGISLATURE

SECOND SESSION

LEGISLATIVE BILL 966

Introduced by Davis, 43; Avery, 28; Scheer, 19; Smith, 14; Wallman, 30.

Read first time January 16, 2014

Committee: Education

A BILL

1 FOR AN ACT relating to the Tax Equity and Educational Opportunities

2   Support Act; to amend section 79-1007.18, Revised

3   Statutes Supplement, 2013; to change provisions relating

4   to the averaging adjustment; and to repeal the original

5   section.

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

1   Section 1. Section 79-1007.18, Revised Statutes

2   Supplement, 2013, is amended to read:

3   79-1007.18 (1) The department shall calculate an

4   averaging adjustment for districts if the basic funding per formula

5   student is less than the averaging adjustment threshold and the

6   general fund levy for the school fiscal year immediately preceding

7   the school fiscal year for which aid is being calculated was at least

8   one dollar per one hundred dollars of taxable valuation. For school

9   districts that are members of a learning community, the general fund

10   levy for purposes of this section includes both the common general

11   fund levy and the school district general fund levy authorized

12   pursuant to subdivisions (2)(b) and (2)(c) of section 77-3442. The

13   averaging adjustment shall equal the district's formula students

14   multiplied by the percentage specified in this section for such

15   district of the difference between the averaging adjustment threshold

16   minus such district's basic funding per formula student.

17   (2)(a) For school fiscal years 2012-13 and 2013-14, the

18   averaging adjustment threshold shall equal the lesser of (i) the

19   averaging adjustment threshold for the school fiscal year immediately

20   preceding the school fiscal year for which aid is being calculated

21   increased by the basic allowable growth rate or (ii) the statewide

22   average basic funding per formula student for the school fiscal year

23   for which aid is being calculated.

24   (b) For school fiscal year 2014-15 and each school fiscal

25   year thereafter, the averaging adjustment threshold shall equal the

1 aggregate basic funding for all districts with nine hundred or more

2 formula students divided by the aggregate formula students for all

3 districts with nine hundred or more formula students for the school

4 fiscal year for which aid is being calculated.

5   (3) The percentage to be used in the calculation of an

6 averaging adjustment shall be based on the general fund levy for the

7 school fiscal year immediately preceding the school fiscal year for

8 which aid is being calculated.

9   (4) The For school fiscal years prior to school fiscal

10 year 2015-16, the percentages to be used in the calculation of

11 averaging adjustments shall be as follows:

12   (a) If such levy was at least one dollar per one hundred

13 dollars of taxable valuation but less than one dollar and one cent

14 per one hundred dollars of taxable valuation, the percentage shall be

15 fifty percent;

16   (b) If such levy was at least one dollar and one cent per

17 one hundred dollars of taxable valuation but less than one dollar and

18 two cents per one hundred dollars of taxable valuation, the

19 percentage shall be sixty percent;

20   (c) If such levy was at least one dollar and two cents

21 per one hundred dollars of taxable valuation but less than one dollar

22 and three cents per one hundred dollars of taxable valuation, the

23 percentage shall be seventy percent;

24   (d) If such levy was at least one dollar and three cents

25 per one hundred dollars of taxable valuation but less than one dollar

1   and four cents per one hundred dollars of taxable valuation, the

2   percentage shall be eighty percent; and

3   (e) If such levy was at least one dollar and four cents

4   per one hundred dollars of taxable valuation, the percentage shall be

5   ninety percent.

6   (5) For school fiscal year 2015-16 and each school fiscal

7   year thereafter, the percentage to be used in the calculation of

8   averaging adjustments shall be ninety percent.

9   Sec. 2. Original section 79-1007.18, Revised Statutes

10   Supplement, 2013, is repealed.