

LEGISLATURE OF NEBRASKA
ONE HUNDRED FOURTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 777

Introduced by Gloor, 35.

Read first time January 07, 2016

Committee: Revenue

- 1 A BILL FOR AN ACT relating to revenue and taxation; to amend section
- 2 77-1704.02, Reissue Revised Statutes of Nebraska; to change
- 3 provisions relating to partial payments for property taxes that are
- 4 held in escrow; and to repeal the original section.
- 5 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 77-1704.02, Reissue Revised Statutes of Nebraska,
2 is amended to read:

3 77-1704.02 (1) ~~The county treasurer shall~~ Any county board may pass
4 a resolution to allow payments for the discharge of current or delinquent
5 real property taxes, personal property taxes, or both or any charges for
6 interest, publication, penalties, or other charges by reason of the
7 delinquency of such taxes to be held in escrow by the county treasurer,
8 or the county treasurer may contract with another party to hold such
9 payments in escrow. ~~The~~ Upon passage of such a resolution or such other
10 effective date as the resolution may provide, the county treasurer shall
11 accept such payments in accordance with the resolution or any subsequent
12 amendments thereto and hold such amounts until the accumulated payments
13 are sufficient to pay at least one-half the taxes currently due on the
14 property or the full amount of delinquency and any interest, penalties,
15 or other charges due to the delinquency. The county treasurer resolution
16 of the county board may require a minimum, limited, or periodic payment
17 amount as a condition for acceptance of payments to be held in escrow.
18 ~~The resolution may also require that an escrow agreement be executed~~
19 ~~between the person making payment and the county treasurer as a condition~~
20 ~~for accepting payments.~~

21 (2) Payments held in escrow under this section may be held in a
22 designated bank account or may be commingled with other county funds.
23 Such amounts are the property of the person making payment and shall be
24 held in trust for the benefit of such person and be accounted for with
25 respect to the property for which the current or delinquent taxes are to
26 be paid. The county may pay interest on amounts held in escrow at a rate
27 to be determined by the county board or may retain any interest received.
28 Upon sale of the property, any amounts held in escrow with respect to
29 that property shall be returned to the person that made the payment or
30 applied as directed by such person.

31 (3) Payments held in escrow for payment of delinquent taxes shall be

1 applied to the oldest delinquencies first. Payments held in escrow for
2 payment of delinquent taxes shall not affect any collection procedure
3 that is underway or available to the county until the delinquency is
4 fully satisfied.

5 Sec. 2. Original section 77-1704.02, Reissue Revised Statutes of
6 Nebraska, is repealed.