

LEGISLATURE OF NEBRASKA  
ONE HUNDRED SIXTH LEGISLATURE  
SECOND SESSION

**LEGISLATIVE BILL 1025**

Introduced by Bolz, 29.

Read first time January 16, 2020

Committee: Revenue

1 A BILL FOR AN ACT relating to the Nebraska Advantage Act; to amend  
2 section 77-5701, Reissue Revised Statutes of Nebraska; to create the  
3 Tax Credit Buy-Back Program; to harmonize provisions; and to repeal  
4 the original section.

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

1 Section 1. Section 77-5701, Reissue Revised Statutes of Nebraska, is  
2 amended to read:

3 77-5701 Sections 77-5701 to 77-5735 and section 2 of this act shall  
4 be known and may be cited as the Nebraska Advantage Act.

5 Sec. 2. (1) For purposes of this section:

6 (a) Department means the Department of Revenue; and

7 (b) Tax credit means and includes the tax credits authorized in  
8 subsections (3), (4), and (5) of section 77-5725.

9 (2) The Tax Credit Buy-Back Program is created. The department shall  
10 administer the program in accordance with this section. The purpose of  
11 the program is to allow taxpayers to sell unused tax credits back to the  
12 State of Nebraska. The state shall pay twenty-five cents for each one  
13 dollar of tax credits purchased under the program.

14 (3) A taxpayer shall be eligible for the program if the taxpayer is  
15 the owner of tax credits and the taxpayer offers to sell at least fifty  
16 thousand dollars of tax credits back to the state.

17 (4) Any taxpayer wishing to participate in the program shall submit  
18 an application to the department. The application shall include, but not  
19 be limited to:

20 (a) The name of the taxpayer;

21 (b) The amount of tax credits that are eligible to be purchased  
22 under the program as of the application date; and

23 (c) The amount of such tax credits that the taxpayer wishes to sell  
24 to the state.

25 (5) The department shall accept applications for participation in  
26 the program for any year in which the Legislature has appropriated money  
27 to the program.

28 (6) If a taxpayer meets the eligibility requirements of subsection  
29 (3) of this section, the department shall approve the application and  
30 shall notify the taxpayer of such approval.

31 (7) The total amount of tax credits purchased for any year shall not

1 exceed the amount appropriated to the program for that year. If the total  
2 amount of tax credits requested to be purchased exceeds the appropriated  
3 amount, the department shall proportionally reduce the amount to be  
4 purchased from each taxpayer so that the appropriated amount is not  
5 exceeded.

6       Sec. 3.   Original section 77-5701, Reissue Revised Statutes of  
7 Nebraska, is repealed.