

AMENDMENTS TO LB432

Introduced by Revenue.

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

3 Sec. 12. Section 77-2734.02, Reissue Revised Statutes of Nebraska,
4 is amended to read:

5 77-2734.02 (1) Except as provided in subsection (2) of this section,
6 a tax is hereby imposed on the taxable income of every corporate taxpayer
7 that is doing business in this state:

8 (a) For taxable years beginning or deemed to begin before January 1,
9 2013, at a rate equal to one hundred fifty and eight-tenths percent of
10 the primary rate imposed on individuals under section 77-2701.01 on the
11 first one hundred thousand dollars of taxable income and at the rate of
12 two hundred eleven percent of such rate on all taxable income in excess
13 of one hundred thousand dollars. The resultant rates shall be rounded to
14 the nearest one hundredth of one percent;~~and~~

15 (b) For taxable years beginning or deemed to begin on or after
16 January 1, 2013, and before January 1, 2022, at a rate equal to 5.58
17 percent on the first one hundred thousand dollars of taxable income and
18 at the rate of 7.81 percent on all taxable income in excess of one
19 hundred thousand dollars; and -

20 (c) For taxable years beginning or deemed to begin on or after
21 January 1, 2022, at a rate equal to 5.58 percent on the first one hundred
22 thousand dollars of taxable income and at the rate of 6.84 percent on all
23 taxable income in excess of one hundred thousand dollars.

24 For corporate taxpayers with a fiscal year that does not coincide
25 with the calendar year, the individual rate used for this subsection
26 shall be the rate in effect on the first day, or the day deemed to be the
27 first day, of the taxable year.

1 (2) An insurance company shall be subject to taxation at the lesser
2 of the rate described in subsection (1) of this section or the rate of
3 tax imposed by the state or country in which the insurance company is
4 domiciled if the insurance company can establish to the satisfaction of
5 the Tax Commissioner that it is domiciled in a state or country other
6 than Nebraska that imposes on Nebraska domiciled insurance companies a
7 retaliatory tax against the tax described in subsection (1) of this
8 section.

9 (3) For a corporate taxpayer that is subject to tax in another
10 state, its taxable income shall be the portion of the taxpayer's federal
11 taxable income, as adjusted, that is determined to be connected with the
12 taxpayer's operations in this state pursuant to sections 77-2734.05 to
13 77-2734.15.

14 (4) Each corporate taxpayer shall file only one income tax return
15 for each taxable year.