

AMENDMENTS TO LB132

(Amendments to Standing Committee amendments, AM555)

Introduced by Brandt, 32.

1           1. Insert the following new sections:

2           Section 1. Sections 1 to 5 of this act shall be known and may be  
3 cited as the School Property Tax Stabilization Act.

4           Sec. 2. (1) On or before September 15, 2021, the State Department  
5 of Education shall determine the total school property tax stabilization  
6 payment to be paid to each eligible school district for the 2021-22  
7 school fiscal year. On or before June 30, 2022, and on or before June 30  
8 of each year thereafter through 2025, the State Department of Education  
9 shall determine the total school property tax stabilization payment to be  
10 paid to each eligible school district for the ensuing school fiscal year.

11           (2) A school district is eligible for a school property tax  
12 stabilization payment if the school district property tax requirement  
13 exceeds:

14           (a) For school fiscal year 2021-22, seventy percent of the formula  
15 need calculated for such school district;

16           (b) For school fiscal year 2022-23, sixty-five percent of the  
17 formula need calculated for such school district;

18           (c) For school fiscal year 2023-24, sixty percent of the formula  
19 need calculated for such school district; and

20           (d) For school fiscal years 2024-25 and 2025-26, fifty-five percent  
21 of the formula need calculated for such school district.

22           (3) The school district property tax requirement for each school  
23 district shall equal the formula need calculated pursuant to section  
24 79-1007.11 minus the sum of the amount to be distributed pursuant to the  
25 Tax Equity and Educational Opportunities Support Act as certified  
26 pursuant to section 79-1022 and other actual receipts as determined

1 pursuant to section 79-1018.01 for such school district for the school  
2 fiscal year for which a total school property tax stabilization payment  
3 is being calculated.

4 (4) The school property tax stabilization base for an eligible  
5 school district shall equal the amount by which the school district  
6 property tax requirement exceeds:

7 (a) For school fiscal year 2021-22, seventy percent of the formula  
8 need calculated for such school district;

9 (b) For school fiscal year 2022-23, sixty-five percent of the  
10 formula need calculated for such school district;

11 (c) For school fiscal year 2023-24, sixty percent of the formula  
12 need calculated for such school district; and

13 (d) For school fiscal years 2024-25 and 2025-26, fifty-five percent  
14 of the formula need calculated for such school district.

15 (5) The total school property tax stabilization payment to be paid  
16 to an eligible school district shall equal the school property tax  
17 stabilization base for such school district multiplied by fifty percent.

18 Sec. 3. The total school property tax stabilization payment  
19 calculated pursuant to section 2 of this act for each eligible school  
20 district shall be certified to the Director of Administrative Services,  
21 the Auditor of Public Accounts, and each school district. The amounts  
22 certified pursuant to this section shall be divided and distributed in  
23 ten as nearly as possible equal monthly school property tax stabilization  
24 payments on the last business day of each month beginning in September of  
25 the school fiscal year for which such school property tax stabilization  
26 payments were certified and ending in June of such school fiscal year,  
27 except that a school district that would receive monthly school property  
28 tax stabilization payments of less than one thousand dollars shall  
29 receive the total school property tax stabilization payment on the last  
30 business day of December during such school fiscal year. The amounts  
31 certified pursuant to this section shall be shown as budgeted non-

1 property-tax receipts and deducted prior to calculating the property tax  
2 request in the school district's general fund budget statement as  
3 provided to the Auditor of Public Accounts pursuant to section 79-1024.

4 Sec. 4. It is the intent of the Legislature to appropriate the  
5 amount necessary to carry out the School Property Tax Stabilization Act  
6 for each school fiscal year. It is also the intent of the Legislature to  
7 fully fund the Tax Equity and Educational Opportunities Support Act  
8 before funding the School Property Tax Stabilization Act.

9 Sec. 5. The School Property Tax Stabilization Act shall terminate  
10 on July 1, 2026.

11 Sec. 6. Section 79-1018.01, Revised Statutes Cumulative Supplement,  
12 2020, is amended to read:

13 79-1018.01 Except as otherwise provided in this section, local  
14 system formula resources include other actual receipts available for the  
15 funding of general fund operating expenditures as determined by the  
16 department for the second school fiscal year immediately preceding the  
17 school fiscal year in which aid is to be paid. Other actual receipts  
18 include:

19 (1) Public power district sales tax revenue;

20 (2) Fines and license fees;

21 (3) Tuition receipts from individuals, other districts, or any other  
22 source except receipts derived from adult education, receipts derived  
23 from summer school tuition, receipts derived from early childhood  
24 education tuition, tuition receipts from converted contracts beginning  
25 with the calculation of state aid to be distributed in school fiscal year  
26 2011-12, and receipts from educational entities as defined in section  
27 79-1201.01 for providing distance education courses through the  
28 Educational Service Unit Coordinating Council to such educational  
29 entities;

30 (4) Transportation receipts;

31 (5) Interest on investments;

1 (6) Other miscellaneous noncategorical local receipts, not including  
2 receipts from private foundations, individuals, associations, or  
3 charitable organizations;

4 (7) Special education receipts;

5 (8) Special education receipts and non-special education receipts  
6 from the state for wards of the court and wards of the state;

7 (9) All receipts from the temporary school fund. Receipts from the  
8 temporary school fund shall only include (a) receipts pursuant to section  
9 79-1035 and (b) the receipt of funds pursuant to section 79-1036 for  
10 property leased for a public purpose as set forth in subdivision (1)(a)  
11 of section 77-202;

12 (10) Motor vehicle tax receipts received;

13 (11) Pro rata motor vehicle license fee receipts;

14 (12) Other miscellaneous state receipts excluding revenue from the  
15 School Property Tax Stabilization Act and the textbook loan program  
16 authorized by section 79-734;

17 (13) Impact aid entitlements for the school fiscal year which have  
18 actually been received by the district to the extent allowed by federal  
19 law;

20 (14) All other noncategorical federal receipts;

21 (15) Receipts under the federal Medicare Catastrophic Coverage Act  
22 of 1988, as such act existed on January 1, 2014, as authorized pursuant  
23 to sections 43-2510 and 43-2511 for services to school-age children,  
24 excluding amounts designated as reimbursement for costs associated with  
25 the implementation and administration of the billing system pursuant to  
26 section 43-2511;

27 (16) Receipts for accelerated or differentiated curriculum programs  
28 pursuant to sections 79-1106 to 79-1108.03; and

29 (17) Revenue received from the nameplate capacity tax distributed  
30 pursuant to section 77-6204.

31 Sec. 9. Original section 79-1018.01, Revised Statutes Cumulative

- 1 Supplement, 2020, is repealed.
- 2       2. Renumber the remaining sections accordingly.