

AMENDMENTS TO LB939

(Amendments to Standing Committee amendments, AM1780)

Introduced by Cavanaugh, M., 6.

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

3 Section 1. Section 77-2715.03, Reissue Revised Statutes of Nebraska,
4 is amended to read:

5 77-2715.03 (1) For taxable years beginning or deemed to begin on or
6 after January 1, 2013, and before January 1, 2014, the following brackets
7 and rates are hereby established for the Nebraska individual income tax:

8 Individual Income Tax Brackets and Rates

| 9 Bracket | Single | Married, | Head of | Married, | Estates | Tax |
|-----------|-------------|-----------|-----------|-----------|----------|-------|
| 10 Number | Individuals | Filing | Household | Filing | and | Rate |
| 11 | | Jointly | | Separate | Trusts | |
| 12 1 | \$0-2,399 | \$0-4,799 | \$0-4,499 | \$0-2,399 | \$0-499 | 2.46% |
| 13 2 | \$2,400- | \$4,800- | \$4,500- | \$2,400- | \$500- | |
| 14 | 17,499 | 34,999 | 27,999 | 17,499 | 4,699 | 3.51% |
| 15 3 | \$17,500- | \$35,000- | \$28,000- | \$17,500- | \$4,700- | |
| 16 | 26,999 | 53,999 | 39,999 | 26,999 | 15,149 | 5.01% |
| 17 4 | \$27,000 | \$54,000 | \$40,000 | \$27,000 | \$15,150 | |
| 18 | and Over | and Over | and Over | and Over | and Over | 6.84% |

19 (2) For taxable years beginning or deemed to begin on or after
20 January 1, 2014, and before January 1, 2023, the following brackets and
21 rates are hereby established for the Nebraska individual income tax:

22 Individual Income Tax Brackets and Rates

| 23 Bracket | Single | Married, | Head of | Married, | Estates | Tax |
|------------|-------------|----------|-----------|----------|---------|------|
| 24 Number | Individuals | Filing | Household | Filing | and | Rate |
| 25 | | Jointly | | Separate | Trusts | |

| | | | | | | | |
|---|---|-----------|-----------|-----------|-----------|----------|-------|
| 1 | 1 | \$0-2,999 | \$0-5,999 | \$0-5,599 | \$0-2,999 | \$0-499 | 2.46% |
| 2 | 2 | \$3,000- | \$6,000- | \$5,600- | \$3,000- | \$500- | |
| 3 | | 17,999 | 35,999 | 28,799 | 17,999 | 4,699 | 3.51% |
| 4 | 3 | \$18,000- | \$36,000- | \$28,800- | \$18,000- | \$4,700- | |
| 5 | | 28,999 | 57,999 | 42,999 | 28,999 | 15,149 | 5.01% |
| 6 | 4 | \$29,000 | \$58,000 | \$43,000 | \$29,000 | \$15,150 | |
| 7 | | and Over | and Over | and Over | and Over | and Over | 6.84% |

8 (3)(a) For taxable years beginning or deemed to begin on or after
9 January 1, 2015, and before January 1, 2023, the minimum and maximum
10 dollar amounts for each income tax bracket provided in subsection (2) of
11 this section shall be adjusted for inflation by the percentage determined
12 under subdivision (3)(b) of this section. The rate applicable to any such
13 income tax bracket shall not be changed as part of any adjustment under
14 this subsection. The minimum and maximum dollar amounts for each income
15 tax bracket as adjusted shall be rounded to the nearest ten-dollar
16 amount. If the adjusted amount for any income tax bracket ends in a five,
17 it shall be rounded up to the nearest ten-dollar amount.

18 (b)(i) For taxable years beginning or deemed to begin on or after
19 January 1, 2015, and before January 1, 2018, the Tax Commissioner shall
20 adjust the income tax brackets in subsection (2) of this section by the
21 percentage determined pursuant to the provisions of section 1(f) of the
22 Internal Revenue Code of 1986, as it existed prior to December 22, 2017,
23 except that in section 1(f)(3)(B) of the code the year 2013 shall be
24 substituted for the year 1992. For 2015, the Tax Commissioner shall then
25 determine the percent change from the twelve months ending on August 31,
26 2013, to the twelve months ending on August 31, 2014, and in each
27 subsequent year, from the twelve months ending on August 31, 2013, to the
28 twelve months ending on August 31 of the year preceding the taxable year.
29 The Tax Commissioner shall prescribe new tax rate schedules that apply in
30 lieu of the schedules set forth in subsection (2) of this section.

1 (ii) For taxable years beginning or deemed to begin on or after
2 January 1, 2018, and before January 1, 2023, the Tax Commissioner shall
3 adjust the income tax brackets in subsection (2) of this section based on
4 the percentage change in the Consumer Price Index for All Urban Consumers
5 published by the federal Bureau of Labor Statistics from the twelve
6 months ending on August 31, 2016, to the twelve months ending on August
7 31 of the year preceding the taxable year. The Tax Commissioner shall
8 prescribe new tax rate schedules that apply in lieu of the schedules set
9 forth in subsection (2) of this section.

10 (4) For taxable years beginning or deemed to begin on or after
11 January 1, 2023, the following brackets and rates are hereby established
12 for the Nebraska individual income tax:

13 Individual Income Tax Brackets and Rates

| 14 | <u>Bracket</u> | <u>Single</u> | <u>Married,</u> | <u>Head of</u> | <u>Married,</u> | <u>Estates</u> | <u>Tax</u> |
|----|----------------|--------------------|--------------------|-------------------|-------------------|------------------|--------------|
| 15 | <u>Number</u> | <u>Individuals</u> | <u>Filing</u> | <u>Household</u> | <u>Filing</u> | <u>and</u> | <u>Rate</u> |
| 16 | | | <u>Jointly</u> | | <u>Separate</u> | <u>Trusts</u> | |
| 17 | <u>1</u> | <u>\$0-3,339</u> | <u>\$0-6,659</u> | <u>\$0-6,219</u> | <u>\$0-3,339</u> | <u>\$0-499</u> | <u>2.46%</u> |
| 18 | <u>2</u> | <u>\$3,340-</u> | <u>\$6,660-</u> | <u>\$6,220-</u> | <u>\$3,340-</u> | <u>\$500-</u> | |
| 19 | | <u>32,209</u> | <u>64,429</u> | <u>47,759</u> | <u>32,209</u> | <u>15,149</u> | <u>3.51%</u> |
| 20 | <u>3</u> | <u>\$32,210-</u> | <u>\$64,430-</u> | <u>\$47,760-</u> | <u>\$32,210-</u> | <u>\$15,150-</u> | |
| 21 | | <u>99,999</u> | <u>199,999</u> | <u>149,999</u> | <u>99,999</u> | <u>49,999</u> | <u>5.01%</u> |
| 22 | <u>4</u> | <u>\$100,000-</u> | <u>\$200,000-</u> | <u>\$150,000-</u> | <u>\$100,000-</u> | <u>\$50,000-</u> | |
| 23 | | <u>499,999</u> | <u>999,999</u> | <u>749,999</u> | <u>499,999</u> | <u>499,999</u> | <u>6.51%</u> |
| 24 | <u>5</u> | <u>\$500,000</u> | <u>\$1,000,000</u> | <u>\$750,000</u> | <u>\$500,000</u> | <u>\$500,000</u> | |
| 25 | | <u>and Over</u> | <u>and Over</u> | <u>and Over</u> | <u>and Over</u> | <u>and Over</u> | <u>8.01%</u> |

26 (5)(a) For taxable years beginning or deemed to begin on or after
27 January 1, 2024, the minimum and maximum dollar amounts for each income
28 tax bracket provided in subsection (4) of this section shall be adjusted
29 for inflation by the percentage determined under subdivision (5)(b) of
30 this section. The rate applicable to any such income tax bracket shall

1 not be changed as part of any adjustment under this subsection. The
2 minimum and maximum dollar amounts for each income tax bracket as
3 adjusted shall be rounded to the nearest ten-dollar amount. If the
4 adjusted amount for any income tax bracket ends in a five, it shall be
5 rounded up to the nearest ten-dollar amount.

6 (b) The Tax Commissioner shall adjust the income tax brackets in
7 subsection (4) of this section based on the percentage change in the
8 Consumer Price Index for All Urban Consumers published by the federal
9 Bureau of Labor Statistics from the twelve months ending on August 31,
10 2022, to the twelve months ending on August 31 of the year preceding the
11 taxable year. The Tax Commissioner shall prescribe new tax rate schedules
12 that apply in lieu of the schedules set forth in subsection (4) of this
13 section.

14 (6) (4) Whenever the tax brackets or tax rates are changed by the
15 Legislature, the Tax Commissioner shall update the tax rate schedules to
16 reflect the new tax brackets or tax rates and shall publish such updated
17 schedules.

18 (7) (5) The Tax Commissioner shall prepare, from the rate schedules,
19 tax tables which can be used by a majority of the taxpayers to determine
20 their Nebraska tax liability. The design of the tax tables shall be
21 determined by the Tax Commissioner. The size of the tax table brackets
22 may change as the level of income changes. The difference in tax between
23 two tax table brackets shall not exceed fifteen dollars. The Tax
24 Commissioner may build the personal exemption credit and standard
25 deduction amounts into the tax tables.

26 (8) (6) For taxable years beginning or deemed to begin on or after
27 January 1, 2013, the tax rate applied to other federal taxes included in
28 the computation of the Nebraska individual income tax shall be 29.6
29 percent.

30 (9) (7) The Tax Commissioner may require by rule and regulation that
31 all taxpayers shall use the tax tables if their income is less than the

1 maximum income included in the tax tables.

2 Sec. 2. Section 77-2716, Revised Statutes Supplement, 2021, is
3 amended to read:

4 77-2716 (1) The following adjustments to federal adjusted gross
5 income or, for corporations and fiduciaries, federal taxable income shall
6 be made for interest or dividends received:

7 (a)(i) There shall be subtracted interest or dividends received by
8 the owner of obligations of the United States and its territories and
9 possessions or of any authority, commission, or instrumentality of the
10 United States to the extent includable in gross income for federal income
11 tax purposes but exempt from state income taxes under the laws of the
12 United States; and

13 (ii) There shall be subtracted interest received by the owner of
14 obligations of the State of Nebraska or its political subdivisions or
15 authorities which are Build America Bonds to the extent includable in
16 gross income for federal income tax purposes;

17 (b) There shall be subtracted that portion of the total dividends
18 and other income received from a regulated investment company which is
19 attributable to obligations described in subdivision (a) of this
20 subsection as reported to the recipient by the regulated investment
21 company;

22 (c) There shall be added interest or dividends received by the owner
23 of obligations of the District of Columbia, other states of the United
24 States, or their political subdivisions, authorities, commissions, or
25 instrumentalities to the extent excluded in the computation of gross
26 income for federal income tax purposes except that such interest or
27 dividends shall not be added if received by a corporation which is a
28 regulated investment company;

29 (d) There shall be added that portion of the total dividends and
30 other income received from a regulated investment company which is
31 attributable to obligations described in subdivision (c) of this

1 subsection and excluded for federal income tax purposes as reported to
2 the recipient by the regulated investment company; and

3 (e)(i) Any amount subtracted under this subsection shall be reduced
4 by any interest on indebtedness incurred to carry the obligations or
5 securities described in this subsection or the investment in the
6 regulated investment company and by any expenses incurred in the
7 production of interest or dividend income described in this subsection to
8 the extent that such expenses, including amortizable bond premiums, are
9 deductible in determining federal taxable income.

10 (ii) Any amount added under this subsection shall be reduced by any
11 expenses incurred in the production of such income to the extent
12 disallowed in the computation of federal taxable income.

13 (2) There shall be allowed a net operating loss derived from or
14 connected with Nebraska sources computed under rules and regulations
15 adopted and promulgated by the Tax Commissioner consistent, to the extent
16 possible under the Nebraska Revenue Act of 1967, with the laws of the
17 United States. For a resident individual, estate, or trust, the net
18 operating loss computed on the federal income tax return shall be
19 adjusted by the modifications contained in this section. For a
20 nonresident individual, estate, or trust or for a partial-year resident
21 individual, the net operating loss computed on the federal return shall
22 be adjusted by the modifications contained in this section and any
23 carryovers or carrybacks shall be limited to the portion of the loss
24 derived from or connected with Nebraska sources.

25 (3) There shall be subtracted from federal adjusted gross income for
26 all taxable years beginning on or after January 1, 1987, the amount of
27 any state income tax refund to the extent such refund was deducted under
28 the Internal Revenue Code, was not allowed in the computation of the tax
29 due under the Nebraska Revenue Act of 1967, and is included in federal
30 adjusted gross income.

31 (4) Federal adjusted gross income, or, for a fiduciary, federal

1 taxable income shall be modified to exclude the portion of the income or
2 loss received from a small business corporation with an election in
3 effect under subchapter S of the Internal Revenue Code or from a limited
4 liability company organized pursuant to the Nebraska Uniform Limited
5 Liability Company Act that is not derived from or connected with Nebraska
6 sources as determined in section 77-2734.01.

7 (5) There shall be subtracted from federal adjusted gross income or,
8 for corporations and fiduciaries, federal taxable income dividends
9 received or deemed to be received from corporations which are not subject
10 to the Internal Revenue Code.

11 (6) There shall be subtracted from federal taxable income a portion
12 of the income earned by a corporation subject to the Internal Revenue
13 Code of 1986 that is actually taxed by a foreign country or one of its
14 political subdivisions at a rate in excess of the maximum federal tax
15 rate for corporations. The taxpayer may make the computation for each
16 foreign country or for groups of foreign countries. The portion of the
17 taxes that may be deducted shall be computed in the following manner:

18 (a) The amount of federal taxable income from operations within a
19 foreign taxing jurisdiction shall be reduced by the amount of taxes
20 actually paid to the foreign jurisdiction that are not deductible solely
21 because the foreign tax credit was elected on the federal income tax
22 return;

23 (b) The amount of after-tax income shall be divided by one minus the
24 maximum tax rate for corporations in the Internal Revenue Code; and

25 (c) The result of the calculation in subdivision (b) of this
26 subsection shall be subtracted from the amount of federal taxable income
27 used in subdivision (a) of this subsection. The result of such
28 calculation, if greater than zero, shall be subtracted from federal
29 taxable income.

30 (7) Federal adjusted gross income shall be modified to exclude any
31 amount repaid by the taxpayer for which a reduction in federal tax is

1 allowed under section 1341(a)(5) of the Internal Revenue Code.

2 (8)(a) Federal adjusted gross income or, for corporations and
3 fiduciaries, federal taxable income shall be reduced, to the extent
4 included, by income from interest, earnings, and state contributions
5 received from the Nebraska educational savings plan trust created in
6 sections 85-1801 to 85-1817 and any account established under the
7 achieving a better life experience program as provided in sections
8 77-1401 to 77-1409.

9 (b) Federal adjusted gross income or, for corporations and
10 fiduciaries, federal taxable income shall be reduced by any contributions
11 as a participant in the Nebraska educational savings plan trust or
12 contributions to an account established under the achieving a better life
13 experience program made for the benefit of a beneficiary as provided in
14 sections 77-1401 to 77-1409, to the extent not deducted for federal
15 income tax purposes, but not to exceed five thousand dollars per married
16 filing separate return or ten thousand dollars for any other return. With
17 respect to a qualified rollover within the meaning of section 529 of the
18 Internal Revenue Code from another state's plan, any interest, earnings,
19 and state contributions received from the other state's educational
20 savings plan which is qualified under section 529 of the code shall
21 qualify for the reduction provided in this subdivision. For contributions
22 by a custodian of a custodial account including rollovers from another
23 custodial account, the reduction shall only apply to funds added to the
24 custodial account after January 1, 2014.

25 (c) For taxable years beginning or deemed to begin on or after
26 January 1, 2021, under the Internal Revenue Code of 1986, as amended,
27 federal adjusted gross income shall be reduced, to the extent included in
28 the adjusted gross income of an individual, by the amount of any
29 contribution made by the individual's employer into an account under the
30 Nebraska educational savings plan trust owned by the individual, not to
31 exceed five thousand dollars per married filing separate return or ten

1 thousand dollars for any other return.

2 (d) Federal adjusted gross income or, for corporations and
3 fiduciaries, federal taxable income shall be increased by:

4 (i) The amount resulting from the cancellation of a participation
5 agreement refunded to the taxpayer as a participant in the Nebraska
6 educational savings plan trust to the extent previously deducted under
7 subdivision (8)(b) of this section; and

8 (ii) The amount of any withdrawals by the owner of an account
9 established under the achieving a better life experience program as
10 provided in sections 77-1401 to 77-1409 for nonqualified expenses to the
11 extent previously deducted under subdivision (8)(b) of this section.

12 (9)(a) For income tax returns filed after September 10, 2001, for
13 taxable years beginning or deemed to begin before January 1, 2006, under
14 the Internal Revenue Code of 1986, as amended, federal adjusted gross
15 income or, for corporations and fiduciaries, federal taxable income shall
16 be increased by eighty-five percent of any amount of any federal bonus
17 depreciation received under the federal Job Creation and Worker
18 Assistance Act of 2002 or the federal Jobs and Growth Tax Act of 2003,
19 under section 168(k) or section 1400L of the Internal Revenue Code of
20 1986, as amended, for assets placed in service after September 10, 2001,
21 and before December 31, 2005.

22 (b) For a partnership, limited liability company, cooperative,
23 including any cooperative exempt from income taxes under section 521 of
24 the Internal Revenue Code of 1986, as amended, limited cooperative
25 association, subchapter S corporation, or joint venture, the increase
26 shall be distributed to the partners, members, shareholders, patrons, or
27 beneficiaries in the same manner as income is distributed for use against
28 their income tax liabilities.

29 (c) For a corporation with a unitary business having activity both
30 inside and outside the state, the increase shall be apportioned to
31 Nebraska in the same manner as income is apportioned to the state by

1 section 77-2734.05.

2 (d) The amount of bonus depreciation added to federal adjusted gross
3 income or, for corporations and fiduciaries, federal taxable income by
4 this subsection shall be subtracted in a later taxable year. Twenty
5 percent of the total amount of bonus depreciation added back by this
6 subsection for tax years beginning or deemed to begin before January 1,
7 2003, under the Internal Revenue Code of 1986, as amended, may be
8 subtracted in the first taxable year beginning or deemed to begin on or
9 after January 1, 2005, under the Internal Revenue Code of 1986, as
10 amended, and twenty percent in each of the next four following taxable
11 years. Twenty percent of the total amount of bonus depreciation added
12 back by this subsection for tax years beginning or deemed to begin on or
13 after January 1, 2003, may be subtracted in the first taxable year
14 beginning or deemed to begin on or after January 1, 2006, under the
15 Internal Revenue Code of 1986, as amended, and twenty percent in each of
16 the next four following taxable years.

17 (10) For taxable years beginning or deemed to begin on or after
18 January 1, 2003, and before January 1, 2006, under the Internal Revenue
19 Code of 1986, as amended, federal adjusted gross income or, for
20 corporations and fiduciaries, federal taxable income shall be increased
21 by the amount of any capital investment that is expensed under section
22 179 of the Internal Revenue Code of 1986, as amended, that is in excess
23 of twenty-five thousand dollars that is allowed under the federal Jobs
24 and Growth Tax Act of 2003. Twenty percent of the total amount of
25 expensing added back by this subsection for tax years beginning or deemed
26 to begin on or after January 1, 2003, may be subtracted in the first
27 taxable year beginning or deemed to begin on or after January 1, 2006,
28 under the Internal Revenue Code of 1986, as amended, and twenty percent
29 in each of the next four following tax years.

30 (11)(a) For taxable years beginning or deemed to begin before
31 January 1, 2018, under the Internal Revenue Code of 1986, as amended,

1 federal adjusted gross income shall be reduced by contributions, up to
2 two thousand dollars per married filing jointly return or one thousand
3 dollars for any other return, and any investment earnings made as a
4 participant in the Nebraska long-term care savings plan under the Long-
5 Term Care Savings Plan Act, to the extent not deducted for federal income
6 tax purposes.

7 (b) For taxable years beginning or deemed to begin before January 1,
8 2018, under the Internal Revenue Code of 1986, as amended, federal
9 adjusted gross income shall be increased by the withdrawals made as a
10 participant in the Nebraska long-term care savings plan under the act by
11 a person who is not a qualified individual or for any reason other than
12 transfer of funds to a spouse, long-term care expenses, long-term care
13 insurance premiums, or death of the participant, including withdrawals
14 made by reason of cancellation of the participation agreement, to the
15 extent previously deducted as a contribution or as investment earnings.

16 (12) There shall be added to federal adjusted gross income for
17 individuals, estates, and trusts any amount taken as a credit for
18 franchise tax paid by a financial institution under sections 77-3801 to
19 77-3807 as allowed by subsection (5) of section 77-2715.07.

20 (13)(a) For taxable years beginning or deemed to begin on or after
21 January 1, 2015, under the Internal Revenue Code of 1986, as amended,
22 federal adjusted gross income shall be reduced by the amount received as
23 benefits under the federal Social Security Act which are included in the
24 federal adjusted gross income if:

25 (i) For taxpayers filing a married filing joint return, federal
26 adjusted gross income is fifty-eight thousand dollars or less; or

27 (ii) For taxpayers filing any other return, federal adjusted gross
28 income is forty-three thousand dollars or less.

29 (b) For taxable years beginning or deemed to begin on or after
30 January 1, 2020, under the Internal Revenue Code of 1986, as amended, the
31 Tax Commissioner shall adjust the dollar amounts provided in subdivisions

1 (13)(a)(i) and (ii) of this section by the same percentage used to adjust
2 individual income tax brackets under ~~subsection (3)~~ of section
3 77-2715.03.

4 (c) For taxable years beginning or deemed to begin on or after
5 January 1, 2021, under the Internal Revenue Code of 1986, as amended, a
6 taxpayer may claim the reduction to federal adjusted gross income allowed
7 under this subsection or the reduction to federal adjusted gross income
8 allowed under subsection (14) of this section, whichever provides the
9 greater reduction.

10 (14)(a) For taxable years beginning or deemed to begin on or after
11 January 1, 2021, under the Internal Revenue Code of 1986, as amended,
12 federal adjusted gross income shall be reduced by a percentage of the
13 social security benefits that are received and included in federal
14 adjusted gross income. The pertinent percentage shall be:

15 (i) Five percent for taxable years beginning or deemed to begin on
16 or after January 1, 2021, and before January 1, 2022, under the Internal
17 Revenue Code of 1986, as amended;

18 (ii) Twenty percent for taxable years beginning or deemed to begin
19 on or after January 1, 2022, and before January 1, 2023, under the
20 Internal Revenue Code of 1986, as amended;

21 (iii) Thirty percent for taxable years beginning or deemed to begin
22 on or after January 1, 2023, and before January 1, 2024, under the
23 Internal Revenue Code of 1986, as amended;

24 (iv) Forty percent for taxable years beginning or deemed to begin on
25 or after January 1, 2024, and before January 1, 2025, under the Internal
26 Revenue Code of 1986, as amended; and

27 (v) Fifty percent for taxable years beginning or deemed to begin on
28 or after January 1, 2025, under the Internal Revenue Code of 1986, as
29 amended.

30 (b) It is the intent of the Legislature to enact legislation within
31 five years after August 28, 2021, to increase the percentage of social

1 security benefits that are excluded under this subsection to (i) sixty
2 percent for taxable years beginning or deemed to begin on or after
3 January 1, 2026, and before January 1, 2027, under the Internal Revenue
4 Code of 1986, as amended, (ii) seventy percent for taxable years
5 beginning or deemed to begin on or after January 1, 2027, and before
6 January 1, 2028, under the Internal Revenue Code of 1986, as amended,
7 (iii) eighty percent for taxable years beginning or deemed to begin on or
8 after January 1, 2028, and before January 1, 2029, under the Internal
9 Revenue Code of 1986, as amended, (iv) ninety percent for taxable years
10 beginning or deemed to begin on or after January 1, 2029, and before
11 January 1, 2030, under the Internal Revenue Code of 1986, as amended, and
12 (v) one hundred percent for taxable years beginning or deemed to begin on
13 or after January 1, 2030, under the Internal Revenue Code of 1986, as
14 amended.

15 (c) For purposes of this subsection, social security benefits means
16 benefits received under the federal Social Security Act.

17 (d) For taxable years beginning or deemed to begin on or after
18 January 1, 2021, under the Internal Revenue Code of 1986, as amended, a
19 taxpayer may claim the reduction to federal adjusted gross income allowed
20 under this subsection or the reduction to federal adjusted gross income
21 allowed under subsection (13) of this section, whichever provides the
22 greater reduction.

23 (15)(a) For taxable years beginning or deemed to begin on or after
24 January 1, 2015, and before January 1, 2022, under the Internal Revenue
25 Code of 1986, as amended, an individual may make a one-time election
26 within two calendar years after the date of his or her retirement from
27 the military to exclude income received as a military retirement benefit
28 by the individual to the extent included in federal adjusted gross income
29 and as provided in this subdivision. The individual may elect to exclude
30 forty percent of his or her military retirement benefit income for seven
31 consecutive taxable years beginning with the year in which the election

1 is made or may elect to exclude fifteen percent of his or her military
2 retirement benefit income for all taxable years beginning with the year
3 in which he or she turns sixty-seven years of age.

4 (b) For taxable years beginning or deemed to begin on or after
5 January 1, 2022, under the Internal Revenue Code of 1986, as amended, an
6 individual may exclude one hundred percent of the military retirement
7 benefit income received by such individual to the extent included in
8 federal adjusted gross income.

9 (c) For purposes of this subsection, military retirement benefit
10 means retirement benefits that are periodic payments attributable to
11 service in the uniformed services of the United States for personal
12 services performed by an individual prior to his or her retirement. The
13 term includes retirement benefits described in this subdivision that are
14 reported to the individual on either:

15 (i) An Internal Revenue Service Form 1099-R received from the United
16 States Department of Defense; or

17 (ii) An Internal Revenue Service Form 1099-R received from the
18 United States Office of Personnel Management.

19 (16) For taxable years beginning or deemed to begin on or after
20 January 1, 2021, under the Internal Revenue Code of 1986, as amended,
21 federal adjusted gross income shall be reduced by the amount received as
22 a Segal AmeriCorps Education Award, to the extent such amount is included
23 in federal adjusted gross income.

24 (17) For taxable years beginning or deemed to begin on or after
25 January 1, 2022, under the Internal Revenue Code of 1986, as amended,
26 federal adjusted gross income shall be reduced by the amount received by
27 or on behalf of a firefighter for cancer benefits under the Firefighter
28 Cancer Benefits Act to the extent included in federal adjusted gross
29 income.

30 Sec. 3. Original section 77-2715.03, Reissue Revised Statutes of
31 Nebraska, and section 77-2716, Revised Statutes Supplement, 2021, are

1 repealed.