

ONE HUNDRED SEVENTH LEGISLATURE - FIRST SESSION - 2021
COMMITTEE STATEMENT
LB431

Hearing Date: Wednesday March 03, 2021
Committee On: Revenue
Introducer: Revenue
One Liner: Change taxation provisions relating to improvements on leased lands, the assessment of undervalued and overvalued property, methods for giving notice, and the collection of certain taxes and fees

Roll Call Vote - Final Committee Action:

Advanced to General File

Vote Results:

Aye: 8 Senators Albrecht, Bostar, Briese, Flood, Friesen, Lindstrom, Linehan, Pahls

Nay:

Absent:

Present Not Voting:

Oral Testimony:

Proponents:

Mary Jane Egr Edson
Tony Fulton

Representing:

Introducer - Legal Council to the Revenue Committee
Nebraska Department of Revenue

Opponents:

Representing:

Neutral:

Representing:

Summary of purpose and/or changes:

LB431 is the Department of Revenue technical corrections bill which was advanced from committee last session (LB1074) but was not passed on the floor. The bill makes four changes.

First, it harmonizes filing dates for separate assessment of improvements on leased land. Currently, the deadline for improvements on leased public lands is on or before March 1, while the deadline for improvements on private land is before March 1. This change would create uniformity in filing deadlines.

Second, the bill provides for the electronic filing of a report of undervalued and overvalued property. Currently, the Property Tax Administrator receives an electronic report from the county clerk of the omitted property and clerical error report. LB431 would require an electronic report of overvalued and undervalued property as well, as determined by the County Board.

Third, the bill harmonizes the filing dates for the county lodging tax (sales tax) collected by a retailer and the tire recycling fee collected by retailers, with the filing dates for the litter fee, collected by retailers. All of these taxes and fees would be due in the same manner as the general sales tax collected by these retailers. Depending on the amount of their sales, retailers may be required to file monthly, quarterly or annually. This provision would streamline the filing for smaller retailers.

County Treasurers who collect the tire recycling fee would continue to remit these fees with their monthly returns.

Finally, LB431 would allow the Department of Revenue to send assessment notices to taxpayers using its secure electronic system, when agreed to by the taxpayer. Currently, the Department must mail all assessments to taxpayers. LB727 (2012), removed the requirement that notices must be sent by certified or registered mail.

Lou Ann Linehan, Chairperson