

**FISCAL NOTE**  
**LEGISLATIVE FISCAL ANALYST ESTIMATE**

<b>ESTIMATE OF FISCAL IMPACT – STATE AGENCIES</b> (See narrative for political subdivision estimates)				
	<b>FY 2021-22</b>		<b>FY 2022-23</b>	
	<b>EXPENDITURES</b>	<b>REVENUE</b>	<b>EXPENDITURES</b>	<b>REVENUE</b>
GENERAL FUNDS				
CASH FUNDS				
FEDERAL FUNDS				
OTHER FUNDS				
TOTAL FUNDS				

**Any Fiscal Notes received from state agencies and political subdivisions are attached following the Legislative Fiscal Analyst Estimate.**

LB 431 amends various sections relating to protests of property valuations and fee collection. LB 431 requires the submission of a copy of the county assessor's report of undervalued and overvalued property to the Property Tax Administrator within seven days of the county board of equalization's final decision for protested and non-protested actions. LB 431 also allows for the use of electronic mail by the Tax Commission when notice is required under the Nebraska Revenue Act of 1967.

Furthermore, LB 431 amends the timeline for collecting fees from retailers selling tires. Rather than be due by the 25<sup>th</sup> of each month, LB 431 designates the due date as following the monthly, quarterly, or annual period for filing returns. The filing periods are divided as follows:

- Annual: For retailers remitting less than \$900;
- Quarterly: For retailers remitting between \$900 and \$3000;
- Monthly: For retailers remitting more than \$3000.

Additionally, LB 431 amends a section relating to the Lodging Tax. The due date for payment is changed from the 25<sup>th</sup> day of each month to be annual for retailers with less than \$900 of yearly tax liability and monthly for retailers with more than \$900 of yearly tax liability. The change also allows for the Tax Commissioner to let seasonal retailers with liabilities exceeding \$900 pay annually.

It is not expected that LB 431 will have an impact on General Fund revenues. The Department of Revenue expects minimal costs to implement LB 431. There is no basis to disagree with these estimates.

There is not likely to be an impact to counties. Lancaster County expects no fiscal impact due to LB 431. There is no basis to disagree with this estimate.

<b>ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY &amp; POLT. SUB. RESPONSE</b>			
LB: 431	AM:	AGENCY/POLT. SUB: Lancaster County Assessor	
REVIEWED BY: Lee Will	DATE: 01/25/2021	PHONE: (402) 471-4175	
COMMENTS: Concur with the Lancaster County Assessor's assessment of no fiscal impact.			

<b>ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY &amp; POLT. SUB. RESPONSE</b>			
LB: 431	AM:	AGENCY/POLT. SUB: Lancaster County Clerk	
REVIEWED BY: Lee Will	DATE: 01/25/2021	PHONE: (402) 471-4175	
COMMENTS: Concur with the Lancaster County Clerk's assessment of no fiscal impact.			

State Agency Estimate

State Agency Name: Department of Revenue

Date Due LFO:

Approved by: Tony Fulton

Date Prepared: 2/26/2021

Phone: 471-5896

	FY 2021-2022		FY 2022-2023		FY 2023-2024	
	Expenditures	Revenue	Expenditures	Revenue	Expenditures	Revenue
General Funds	Minimal	\$ 0		\$ 0		\$ 0
Cash Funds						
Federal Funds						
Other Funds						
Total Funds	Minimal	\$ 0		\$ 0		\$ 0

Section 1 of LB 431 amends Neb. Rev. Stat. § 77-1376, to change the filing deadline, from before March 1 to on or before March 1, for an owner of leased land or the lessee to file a form prescribed by the Tax Commissioner indicating specific improvements on leased lands are the property of the lessee for tax purposes.

Section 2 amends Section 77-1504 to require the county clerk to send a copy of the county assessor’s report of undervalued and overvalued property and copies of the county board of equalization’s decisions on the assessment of such property to the Property Tax Administrator.

Section 3 amends Section 77-27,135 to allow any notice required to be given by the Tax Commissioners to include the notice can be given, with the written permission of the taxpayer, by electronic mail or other electronic means in a secure manner as determined by the Tax Commissioner.

Section 4 amends the provisions relating to the filing and remittance of the Tire fee in Section 81-15,164. Currently, the Tire fee is due and payable monthly on or before the 25th day of the month next succeeding each monthly period. LB 431 also allows for the Litter Act fee to be due and payable on or before the 25th day of the month following the monthly, quarterly, or annual period for filing returns. Annual returns are required if the retailer’s annual fee remittance is less than \$900, quarterly returns required if the annual fee remittance is \$900 or more but less than \$3,000, and monthly returns required if the annual fee remittance is \$3,000 or more. The Tire fee is due and payable from a county treasurer or the Department of Motor Vehicles to the Tax Commissioner monthly on or before the 15th day of the month following the monthly period.

Section 5 amends Section 81-3722 related to the Lodging Tax. Currently the Lodging Tax is due and payable on or before the 25th day of each month next succeeding each monthly period. LB 431 changes the Lodging Tax to be due and payable on or before the 25th day of the month following the monthly or annual period for filing returns. Annual returns are required if the retailer’s yearly tax liability is less than \$900 and monthly returns are

Major Objects of Expenditure

Class Code	Classification Title	21-22 FTE	22-23 FTE	23-24 FTE	21-22 Expenditures	22-23 Expenditures	23-24 Expenditures
	Benefits.....						
	Operating Costs.....						
	Travel.....						
	Capital Outlay.....						
	Capital Improvements.....						
	<b>Total.....</b>						

required if the retailer's yearly tax liability is \$900 or more. Additionally, the Tax Commissioner may allow annual returns for retailers that operate on a seasonal basis, even when the tax liability exceeds \$900.

It is estimated that LB 431 will have no impact on General Fund revenues.

It is estimated that there will be minimal costs to the Department to implement LB 431.

LB 431 contains an emergency clause and becomes law upon enactment.

Please complete ALL (5) blanks in the first three lines.

**2021**

**LB<sup>(1)</sup> 431**

**FISCAL NOTE**

State Agency OR Political Subdivision Name: <sup>(2)</sup> Lancaster County Assessor/ROD

Prepared by: <sup>(3)</sup> Scott Gaines Date Prepared: <sup>(4)</sup> 1/20/21 Phone: <sup>(5)</sup> 402-441-6580

**ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION**

	<u>FY 2021-22</u>		<u>FY 2022-23</u>	
	<u>EXPENDITURES</u>	<u>REVENUE</u>	<u>EXPENDITURES</u>	<u>REVENUE</u>
GENERAL FUNDS	_____	_____	_____	_____
CASH FUNDS	_____	_____	_____	_____
FEDERAL FUNDS	_____	_____	_____	_____
OTHER FUNDS	_____	_____	_____	_____
TOTAL FUNDS	=====	=====	=====	=====

Explanation of Estimate:

No fiscal impact to the Lancaster County Assessor's Office.

**BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE**

Personal Services:

<u>POSITION TITLE</u>	<u>NUMBER OF POSITIONS</u>		<u>2021-22</u>	<u>2022-23</u>
	<u>21-22</u>	<u>22-23</u>	<u>EXPENDITURES</u>	<u>EXPENDITURES</u>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
Benefits.....	_____	_____	_____	_____
Operating.....	_____	_____	_____	_____
Travel.....	_____	_____	_____	_____
Capital outlay.....	_____	_____	_____	_____
Aid.....	_____	_____	_____	_____
Capital improvements.....	_____	_____	_____	_____
TOTAL.....	_____	_____	_____	_____

Please complete ALL (5) blanks in the first three lines.

**2021**

**LB<sup>(1)</sup> 431**

**FISCAL NOTE**

State Agency OR Political Subdivision Name: <sup>(2)</sup> Lancaster County Clerk

Prepared by: <sup>(3)</sup> Dan Nolte

Date Prepared: <sup>(4)</sup> 01/21/21

402-441-8721

**ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION**

	<u>FY 2021-22</u>		<u>FY 2022-23</u>	
	<u>EXPENDITURES</u>	<u>REVENUE</u>	<u>EXPENDITURES</u>	<u>REVENUE</u>
GENERAL FUNDS	_____	_____	_____	_____
CASH FUNDS	_____	_____	_____	_____
FEDERAL FUNDS	_____	_____	_____	_____
OTHER FUNDS	_____	_____	_____	_____
TOTAL FUNDS	=====	=====	=====	=====

Explanation of Estimate:

LB 431 will have no fiscal impact in the Lancaster County Clerk's Office

**BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE**

**Personal Services:**

<u>POSITION TITLE</u>	<u>NUMBER OF POSITIONS</u>		<u>2021-22</u>	<u>2022-23</u>
	<u>21-22</u>	<u>22-23</u>	<u>EXPENDITURES</u>	<u>EXPENDITURES</u>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
Benefits.....	_____	_____	_____	_____
Operating.....	_____	_____	_____	_____
Travel.....	_____	_____	_____	_____
Capital outlay.....	_____	_____	_____	_____
Aid.....	_____	_____	_____	_____
Capital improvements.....	_____	_____	_____	_____
TOTAL.....	_____	_____	_____	_____