

LEGISLATURE OF NEBRASKA  
ONE HUNDRED EIGHTH LEGISLATURE  
FIRST SPECIAL SESSION

**LEGISLATIVE BILL 45**

Introduced by Linehan, 39.

Read first time July 29, 2024

Committee: Education

1 A BILL FOR AN ACT relating to education; to amend section 79-1015.01,  
2 Revised Statutes Cumulative Supplement, 2022, and section  
3 79-1017.01, Revised Statutes Supplement, 2023; to change provisions  
4 relating to local system formula resources under the Tax Equity and  
5 Educational Opportunities Support Act; and to repeal the original  
6 sections.

7 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 79-1015.01, Revised Statutes Cumulative  
2 Supplement, 2022, is amended to read:

3 79-1015.01 (1) Through school fiscal year 2024-25, local ~~Local~~  
4 system formula resources shall include local effort rate yield which  
5 shall be computed as prescribed in this section. Beginning with school  
6 fiscal year 2025-26, local system formula resources shall be determined  
7 in a manner prescribed by the Legislature pursuant to section 79-1017.01.

8 (2) For each school fiscal year except school fiscal years 2017-18  
9 and 2018-19: (a) For state aid certified pursuant to section 79-1022, the  
10 local effort rate shall be the maximum levy, for the school fiscal year  
11 for which aid is being certified, authorized pursuant to subdivision (2)  
12 (a) of section 77-3442 less five cents; (b) for the final calculation of  
13 state aid pursuant to section 79-1065, the local effort rate shall be the  
14 rate which, when multiplied by the total adjusted valuation of all  
15 taxable property in local systems receiving equalization aid pursuant to  
16 the Tax Equity and Educational Opportunities Support Act, will produce  
17 the amount needed to support the total formula need of such local systems  
18 when added to state aid appropriated by the Legislature and other actual  
19 receipts of local systems described in section 79-1018.01; and (c) the  
20 local effort rate yield for such school fiscal years shall be determined  
21 by multiplying each local system's total adjusted valuation by the local  
22 effort rate.

23 (3) For school fiscal years 2017-18 and 2018-19: (a) For state aid  
24 certified pursuant to section 79-1022, the local effort rate shall be the  
25 maximum levy, for the school fiscal year for which aid is being  
26 certified, authorized pursuant to subdivision (2)(a) of section 77-3442  
27 less two and ninety-seven hundredths cents; (b) for the final calculation  
28 of state aid pursuant to section 79-1065, the local effort rate shall be  
29 the rate which, when multiplied by the total adjusted valuation of all  
30 taxable property in local systems receiving equalization aid pursuant to  
31 the Tax Equity and Educational Opportunities Support Act, will produce

1 the amount needed to support the total formula need of such local systems  
2 when added to state aid appropriated by the Legislature and other actual  
3 receipts of local systems described in section 79-1018.01; and (c) the  
4 local effort rate yield for such school fiscal years shall be determined  
5 by multiplying each local system's total adjusted valuation by the local  
6 effort rate.

7 Sec. 2. Section 79-1017.01, Revised Statutes Supplement, 2023, is  
8 amended to read:

9 79-1017.01 (1) For state aid calculated for each school fiscal year  
10 prior to school fiscal year 2023-24, local system formula resources  
11 includes other actual receipts determined pursuant to section 79-1018.01,  
12 net option funding determined pursuant to section 79-1009, allocated  
13 income tax funds determined pursuant to section 79-1005.01, and community  
14 achievement plan aid determined pursuant to section 79-1005, and is  
15 reduced by amounts paid by the district in the most recently available  
16 complete data year as property tax refunds pursuant to or in the manner  
17 prescribed by section 77-1736.06.

18 (2) For state aid calculated for school fiscal year 2023-24 through  
19 ~~and each~~ school fiscal year 2024-25 thereafter, local system formula  
20 resources includes other actual receipts determined pursuant to section  
21 79-1018.01, net option funding determined pursuant to section 79-1009,  
22 allocated income tax funds determined pursuant to section 79-1005.01,  
23 community achievement plan aid determined pursuant to section 79-1005,  
24 and a percentage of foundation aid determined pursuant to section  
25 79-1006, and is reduced by amounts paid by the district in the most  
26 recently available complete data year as property tax refunds pursuant to  
27 or in the manner prescribed by section 77-1736.06.

28 (3) For state aid calculated for school fiscal year 2025-26 and each  
29 year thereafter, local system formula resources shall be determined in a  
30 manner prescribed by the Legislature.

31 Sec. 3. Original section 79-1015.01, Revised Statutes Cumulative

1 Supplement, 2022, and section 79-1017.01, Revised Statutes Supplement,  
2 2023, are repealed.