

2012 Legislation

Only relevant sections pertaining to property assessment are listed for each bill.

LB 536. Creates the Uniform Real Property Transfer on Death Act. Legislation became effective January 1, 2013.

Section. 29. Amends Neb. Rev. Stat. § 76-214(1) to possibly require changes to the Real Estate Transfer Statement (Form 521) if a death certificate is recorded with the Register of Deeds. The Real Estate Transfer Statement may require the date of death, name of the decedent, whether the title is affected as a result of a death deed, a joint tenancy deed, the expiration of a life estate or by any other means.

Amends Neb. Rev. Stat. § 76-214(2) to require the Real Estate Transfer Statement (Form 521) to be filed at the time the grantor's death certificate is filed.

Also provides that the Real Estate Transfer Statement (Form 521) is not required to be filed at the time of filing a death deed or at the time of filing of revocation of a death deed.

Section 31. Requires that a death certificate be filed with the Register of Deeds when a transfer of real estate is the result of the death of a transferor on a death deed or the death of a surviving joint tenant of the transferor, a joint tenancy deed due to the death of a joint tenant, or the expiration of a life estate.

Section 35. Amends Neb. Rev. Stat. § 76-902 to provide additional documentary stamp tax exemptions. Deeds between ex-spouses that convey any rights to property acquired or held during the marriage, death deeds and revocations of death deeds, and certified or authenticated death certificates pertaining to death deeds are now exempt from documentary stamp tax.

LB 727. This is the Department's legislation. Provides that the Department is not required to use certified mail when contacting documentary stamp and property taxpayers and owners. Legislation contained the emergency clause and affected sections became operative on their effective date.

Section 27. Amends Neb. Rev. Stat. § 76-908 to remove the certified mail requirement from the Tax Commissioner to the Register of Deeds and taxpayer of his or her decision for a refund claim on documentary stamp tax.

Section 30. Amends Neb. Rev. Stat. §§ 77-612 and 77-802 to remove the certified mail requirement from the Property Tax Administrator to railroads and public service entities regarding their allocated taxable value of the operating property.

LB 750. Defines a farm home site. Legislation became effective July 19, 2012.

Section 1. Amends Neb. Rev. Stat. § 77-1359(3) to define farm home site as land contiguous to a farm site which includes an inhabitable residence and improvements used for residential purposes and which is located outside of urban areas or outside a platted and zoned subdivision.

Section 2. Amends Neb. Rev. Stat. § 77-1371(3) to provide that a premium may be paid when the proximity of the sold real property or tax consequences cause the buyer to pay more than actual value for agricultural or horticultural land.

LB 822. Removes language from the valuation notice sent to property owners on or before June 1. Legislation became effective July 19, 2012.

Section 1. Amends Neb. Rev. Stat. § 77-1315 to repeal the language which required the valuation change notice to state the average level of value for each class and subclass of real property.

LB 897. Requires the county assessor to complete the tax list and maintain a controlling account. Legislation became effective July 19, 2012.

Section 1. Amends Neb. Rev. Stat. § 77-1615 to require the county assessor to complete and transmit the tax lists to the county treasurer. Also, the county assessors set up and maintain a controlling account which must show the total tax assessed against which the county assessor will record the monthly tax collections as shown by the records in the county treasurer's office.

LB 902. Provides that property being purchased through a lease-purchase agreement, financing lease, or other time payment instrument is exempt from property taxes. Legislation contained the emergency clause and became effective April 6, 2012.

Section 1. Amends Neb. Rev. Stat. § 77-202(1) to exempt any property beneficially owned by a governmental unit and used for a public purpose from property tax if the property purchased is subject to a lease-purchase agreement, financing lease, or other instrument which transfers title of the property to the governmental unit upon payment of the debt used to finance the project. The purchase may be subject to property tax if the acquisition cost of the property exceeds the greater of 0.06% of the total actual value of real and personal property of the governmental unit or \$50,000, and the acquisition is not approved by a vote of the people that reside within the governmental unit in which the property is located.

LB 1080. Provides a tax exemption for personal property belonging to a data center when the personal property is to be used outside of this state. Legislation became effective January 1, 2013.

Section 1. Amends section 77-202 to provide a personal property tax exemption to data centers for tangible personal property that is assembled, engineered, or processed for the purpose of subsequent use at a physical location outside this state.

Section 4. Defines “data center” to mean computers, supporting equipment, and other organized assembly of hardware or software that are designed to centralize the storage, management, or dissemination of data and information.

LB 1101. Provides that appointed assessors in reassumed state counties will continue to perform the county assessor duties until an assessor is elected. Legislation contained the emergency clause and affected sections became operative on their effective date.

Section 1. Amends Neb. Rev. Stat. § 77-1340 to provide that the county assessor appointed by the county board must continue the duties of the county assessor until a county assessor is elected.

LB 1106. Provides that an assessment application must be filed when improvements on leased public lands change ownership. Legislation became effective July 19, 2012.

Section 1. Amends Neb. Rev. Stat. § 77-1374 to require that the owner of improvements on leased public lands file and sign an assessment application with the county assessor at the time a change of ownership occurs.