

LEGISLATIVE BILL 302

Approved by the Governor May 26, 2009

Introduced by Campbell, 25.

FOR AN ACT relating to revenue and taxation; to amend sections 77-3509.01 and 77-3509.02, Reissue Revised Statutes of Nebraska; to change provisions relating to transfer of a homestead exemption; to repeal the original sections; and to declare an emergency.

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

Section 1. Section 77-3509.01, Reissue Revised Statutes of Nebraska, is amended to read:

77-3509.01 The owner of a homestead which has been granted an exemption provided in sections 77-3507 to 77-3509, who ~~transfers the ownership of such homestead and~~ becomes the owner of another homestead prior to August 15 during the year for which the exemption was granted, may file an application with the county assessor of the county where the new homestead is located, on or before August 15 of such year, for a transfer of the exemption to the new homestead. The county assessor shall examine each application and determine whether or not the new homestead, except for the January 1 through August 15 ownership and occupancy requirement and the income requirements, is eligible for exemption under sections 77-3507 to 77-3509. If the application is approved by the county assessor, he or she shall make a deduction upon the assessment rolls using the same criteria as previously applied to the original homestead. The county assessor may allow the application for transfer to also be considered an application for a homestead exemption for the subsequent year.

Sec. 2. Section 77-3509.02, Reissue Revised Statutes of Nebraska, is amended to read:

77-3509.02 If the owner of any homestead granted an exemption under sections 77-3507 to 77-3509 ~~transfers the ownership of such~~ becomes the owner of another homestead on or before August 15 of any year pursuant to section 77-3509.01 and makes the application for transfer of the homestead exemption and such application is approved, the exemption shall be disallowed for such year as applied to the original homestead if the exemption was granted based on the status of such owner. If the transfer involves property in more than one county, the county assessor of the county where the new homestead is located shall notify the other county assessor and the Department of Revenue of the application for transfer within ten days after receipt of the application.

Sec. 3. Original sections 77-3509.01 and 77-3509.02, Reissue Revised Statutes of Nebraska, are repealed.

Sec. 4. Since an emergency exists, this act takes effect when passed and approved according to law.