

AMENDMENTS TO LB591

Introduced by Revenue.

1 1. Strike the original sections and insert the following new
2 sections:

3 Section 1. For purposes of sections 1 to 9 of this act:

4 (1) Account means an achieving a better life experience account
5 established under the program for the purposes of funding future
6 qualified disability expenses of a designated beneficiary;

7 (2) Contracting state means a state without a qualified program
8 which has entered into a contract with a state with a qualified program
9 to provide residents of the contracting state access to a qualified
10 program;

11 (3) Designated administrator means any corporation or other entity
12 whose powers and privileges are provided for in any general or special
13 law, whether for profit or not, designated or retained by the State
14 Treasurer for the purpose of administering, subject to the ongoing
15 supervision of the State Treasurer, all or any portion of the investment,
16 marketing, recordkeeping, administrative, or other functions of the
17 program;

18 (4) Designated beneficiary means the individual with a disability
19 named as the beneficiary of an account;

20 (5) Individual with a disability means an individual who is an
21 eligible individual as defined under section 529A;

22 (6) Program means the qualified program established by the State
23 Treasurer as provided in section 2 of this act and administered by the
24 State Treasurer and, to the extent so delegated or contracted by the
25 State Treasurer, one or more designated administrators;

26 (7) Qualified disability expenses means any expenses related to the
27 blindness or disability of the individual with a disability which are

1 made for the benefit of an individual who is the designated beneficiary,
2 including education, housing, transportation, employment training and
3 support, assistive technology and personal support services, health,
4 prevention, and wellness, financial management and administrative
5 services, legal fees, expenses for oversight and monitoring, and funeral
6 and burial expenses; and other expenses which are approved under
7 regulations promulgated under section 529A;

8 (8) Qualified program means a qualified ABLE program as defined
9 under section 529A; and

10 (9) Section 529A means section 529A of the Internal Revenue Code of
11 1986, as amended, and any regulations promulgated thereunder.

12 Sec. 2. (1) For purposes of administering accounts established to
13 encourage and assist individuals and families in saving private funds for
14 the purpose of supporting individuals with disabilities, the State
15 Treasurer shall either establish the achieving a better life experience
16 program as provided in sections 3 to 9 of this act or contract with
17 another state with a qualified program. The State Treasurer may enter
18 into a contract with any contracting state to allow any resident of the
19 contracting state to participate in the program established by the State
20 Treasurer.

21 (2) Under a qualified program, one or more persons may make
22 contributions to an account to meet the qualified disability expenses of
23 the designated beneficiary of the account.

24 (3) If the State Treasurer establishes the program as authorized in
25 this section, sections 3 to 9 of this act apply.

26 Sec. 3. (1) Unless otherwise permitted under section 529A, the
27 owner of an account shall be the designated beneficiary of the account,
28 except that if the designated beneficiary of the account is a minor or
29 has a custodian or other fiduciary appointed for the purposes of managing
30 such beneficiary's financial affairs, a custodian or fiduciary for such
31 designated beneficiary may serve as the account owner if such form of

1 ownership is permitted or not prohibited under section 529A.

2 (2) Unless otherwise permitted under section 529A, the designated
3 beneficiary of an account shall be a resident of the state or of a
4 contracting state. The State Treasurer shall determine residency of
5 Nebraska residents for such purpose in such manner as may be required or
6 permissible under section 529A or, in the absence of any guidance under
7 section 529A, by such other means as the State Treasurer shall consider
8 advisable for purposes of satisfying the requirements of section 529A.

9 Sec. 4. Any person may make contributions to an account to meet the
10 qualified disability expenses of the designated beneficiary of the
11 account if the account and contributions meet the other requirements of
12 sections 3 to 9 of this act and the rules and regulations adopted and
13 promulgated by the State Treasurer.

14 Sec. 5. The State Treasurer and, to the extent required by the
15 terms of such designation, any designated administrator shall operate the
16 program so that it constitutes a qualified program in compliance with the
17 requirements of section 529A.

18 Sec. 6. The State Treasurer and any designated administrator shall
19 provide investment options for the investment of amounts contributed to
20 an account, except that the state investment officer shall have fiduciary
21 responsibility to make all decisions regarding the investment of the
22 money in the administrative fund, expense fund, and program fund created
23 in section 7 of this act, including the selection of all investment
24 options and the approval of all fees and other costs charged to trust
25 assets except costs for administration, operation, and maintenance of the
26 trust as appropriated by the Legislature, pursuant to the directions,
27 guidelines, and policies established by the Nebraska Investment Council.
28 The State Treasurer shall not adopt and promulgate rules and regulations
29 that in any way interfere with the fiduciary responsibility of the state
30 investment officer to make all decisions regarding the investment of
31 money in the administrative fund, expense fund, and program fund. The

1 Nebraska Investment Council may adopt and promulgate rules and
2 regulations to provide for the prudent investment of the assets of the
3 program. The council or its designee also has the authority to select and
4 enter into agreements with individuals and entities to provide investment
5 advice and management of the assets held by the program, establish
6 investment guidelines, objectives, and performance standards with respect
7 to the assets held by the program, and approve any fees, commissions, and
8 expenses, which directly or indirectly affect the return on assets.

9 Sec. 7. (1) Funds contributed to the program shall be held in trust
10 by the State Treasurer. The State Treasurer shall deposit money received
11 by the program into three funds: The ABLE Program Fund, the ABLE Expense
12 Fund, and the ABLE Administrative Fund. The State Treasurer shall deposit
13 money received into the appropriate fund. The State Treasurer and
14 Accounting Administrator of the Department of Administrative Services
15 shall determine the state fund types necessary to comply with section
16 529A and state policy. The money in the funds shall be invested by the
17 state investment officer pursuant to policies established by the Nebraska
18 Investment Council. The program fund, the expense fund, and the
19 administrative fund shall be separately administered.

20 (2) The ABLE Program Fund is created. All money paid by participants
21 in connection with accounts and all investment income earned on such
22 money shall be deposited as received into separate accounts within the
23 program fund. Contributions to the program may only be made in the form
24 of cash. All funds generated in connection with accounts shall be
25 deposited into the appropriate accounts within the program fund. A
26 beneficiary shall not provide investment direction regarding
27 contributions or earnings held by the program. Money accrued by
28 designated beneficiaries in the program fund may be used for qualified
29 disability expenses. Any money in the program fund available for
30 investment shall be invested by the state investment officer pursuant to
31 the Nebraska Capital Expansion Act and the Nebraska State Funds

1 Investment Act.

2 (3) The ABLE Administrative Fund is created. Money from the program
3 transferred from the expense fund to the administrative fund in an amount
4 authorized by an appropriation from the Legislature shall be utilized to
5 pay for the costs of administering, operating, and maintaining the
6 program, to the extent permitted by section 529A. The administrative fund
7 shall not be credited with any money other than money transferred from
8 the expense fund in an amount authorized by an appropriation by the
9 Legislature or any interest income earned on the balances held in the
10 administrative fund. Any money in the administrative fund available for
11 investment shall be invested by the state investment officer pursuant to
12 the Nebraska Capital Expansion Act and the Nebraska State Funds
13 Investment Act.

14 (4) The ABLE Expense Fund is created. The expense fund shall be used
15 to pay costs associated with the program and shall be funded with fees
16 assessed to the program fund. The State Treasurer shall transfer from the
17 expense fund to the State Investment Officer's Cash Fund an amount equal
18 to the pro rata share of the budget appropriated to the Nebraska
19 Investment Council as permitted in section 72-1249.02, to cover
20 reasonable expenses incurred for investment management of the program.
21 Annually and prior to such transfer to the State Investment Officer's
22 Cash Fund, the State Treasurer shall report to the budget division of the
23 Department of Administrative Services and to the Legislative Fiscal
24 Analyst the amounts transferred during the previous fiscal year. The
25 report submitted to the Legislative Fiscal Analyst shall be submitted
26 electronically. Transfers may be made from the expense fund to the
27 General Fund at the direction of the Legislature. Any money in the
28 expense fund available for investment shall be invested by the state
29 investment officer pursuant to the Nebraska Capital Expansion Act and the
30 Nebraska State Funds Investment Act.

31 (5) The assets of the program, including the program fund and

1 excluding the administrative fund and the expense fund, shall at all
2 times be preserved, invested, and expended solely and only for the
3 purposes of the program and shall be held in trust for the designated
4 beneficiaries. No property rights in the program shall exist in favor of
5 the state. Such assets of the program shall not be transferred or used by
6 the state for any purposes other than the purposes of the program.

7 Sec. 8. (1) The State Treasurer shall submit an annual audited
8 financial report, prepared in accordance with generally accepted
9 accounting principles, on the operations of the program by November 1 to
10 the Governor and the Legislature. The report submitted to the Legislature
11 shall be submitted electronically. The State Treasurer shall cause the
12 audit to be made either by the Auditor of Public Accounts or by an
13 independent certified public accountant designated by the State
14 Treasurer, and the audit shall include direct and indirect costs
15 attributable to the use of outside consultants, independent contractors,
16 and any other persons who are not state employees.

17 (2) The annual audit shall be supplemented by all of the following
18 information prepared by the State Treasurer:

19 (a) Any related studies or evaluations prepared in the preceding
20 year;

21 (b) A summary of the benefits provided by the program, including the
22 number of designated beneficiaries in the program; and

23 (c) Any other information which is relevant in order to make a full,
24 fair, and effective disclosure of the operations of the program,
25 including the investment performance of the funds.

26 Sec. 9. The State Treasurer may adopt and promulgate rules and
27 regulations, enter into contracts and agreements, charge fees and
28 expenses to the funds held under the program or to persons establishing
29 or owning accounts, make reports, retain designated administrators,
30 employees, experts, and consultants and do all other things necessary or
31 convenient to implement sections 1 to 9 of this act.

1 Sec. 10. Section 68-1201, Revised Statutes Cumulative Supplement,
2 2014, is amended to read:

3 68-1201 In determining eligibility for the program for aid to
4 dependent children pursuant to section 43-512, for the Supplemental
5 Nutrition Assistance Program administered by the State of Nebraska
6 pursuant to the federal Food and Nutrition Act of 2008, 7 U.S.C. 2011 et
7 seq., and for the child care subsidy program established pursuant to
8 section 68-1202, the following shall not be included in determining
9 assets or income:

10 (1) Assets in or income from an educational savings account, a
11 Coverdell educational savings account described in 26 U.S.C. 530, a
12 qualified tuition program established pursuant to 26 U.S.C. 529, or any
13 similar savings account or plan established to save for qualified higher
14 education expenses as defined in section 85-1802;

15 (2) Income from scholarships or grants related to postsecondary
16 education, whether merit-based, need-based, or a combination thereof;~~and~~

17 (3) Income from postsecondary educational work-study programs,
18 whether federally funded, funded by a postsecondary educational
19 institution, or funded from any other source; and ~~and~~

20 (4) Assets in or income from an account under a qualified program as
21 provided in section 2 of this act.

22 Sec. 11. Section 72-1239.01, Reissue Revised Statutes of Nebraska,
23 is amended to read:

24 72-1239.01 (1)(a) The appointed members of the Nebraska Investment
25 Council shall have the responsibility for the investment management of
26 the assets of the retirement systems administered by the Public Employees
27 Retirement Board as provided in section 84-1503, ~~and~~ the assets of the
28 Nebraska educational savings plan trust created pursuant to sections
29 85-1801 to 85-1814, and the assets of the achieving a better life
30 experience program pursuant to sections 1 to 9 of this act. The appointed
31 members shall be deemed fiduciaries with respect to the investment of the

1 assets of the retirement systems, ~~and~~ of the Nebraska educational savings
2 plan trust, and of the achieving a better life experience program and
3 shall be held to the standard of conduct of a fiduciary specified in
4 subsection (3) of this section. The nonvoting, ex officio members of the
5 council shall not be deemed fiduciaries.

6 (b) As fiduciaries, the appointed members of the council and the
7 state investment officer shall discharge their duties with respect to the
8 assets of the retirement systems, ~~and~~ of the Nebraska educational savings
9 plan trust, and of the achieving a better life experience program solely
10 in the interests of the members and beneficiaries of the retirement
11 systems or the interests of the participants and beneficiaries of the
12 Nebraska educational savings plan trust and the achieving a better life
13 experience program, as the case may be, for the exclusive purposes of
14 providing benefits to members, members' beneficiaries, participants, and
15 participants' beneficiaries and defraying reasonable expenses incurred
16 within the limitations and according to the powers, duties, and purposes
17 prescribed by law.

18 (2)(a) The appointed members of the Nebraska Investment Council
19 shall have the responsibility for the investment management of the assets
20 of state funds. The appointed members shall be deemed fiduciaries with
21 respect to the investment of the assets of state funds and shall be held
22 to the standard of conduct of a fiduciary specified in subsection (3) of
23 this section. The nonvoting, ex officio members of the council shall not
24 be deemed fiduciaries.

25 (b) As fiduciaries, the appointed members of the council and the
26 state investment officer shall discharge their duties with respect to the
27 assets of state funds solely in the interests of the citizens of the
28 state within the limitations and according to the powers, duties, and
29 purposes prescribed by law.

30 (3) The appointed members of the council shall act with the care,
31 skill, prudence, and diligence under the circumstances then prevailing

1 that a prudent person acting in like capacity and familiar with such
2 matters would use in the conduct of an enterprise of a like character and
3 with like aims by diversifying the investments of the assets of the
4 retirement systems, the Nebraska educational savings plan trust, the
5 achieving a better life experience program, and state funds so as to
6 minimize risk of large losses, unless in light of such circumstances it
7 is clearly prudent not to do so. No assets of the retirement systems, ~~or~~
8 the Nebraska educational savings plan trust, or the achieving a better
9 life experience program shall be invested or reinvested if the sole or
10 primary investment objective is for economic development or social
11 purposes or objectives.

12 Sec. 12. Section 77-2716, Revised Statutes Cumulative Supplement,
13 2014, is amended to read:

14 77-2716 (1) The following adjustments to federal adjusted gross
15 income or, for corporations and fiduciaries, federal taxable income shall
16 be made for interest or dividends received:

17 (a) There shall be subtracted interest or dividends received by the
18 owner of obligations of the United States and its territories and
19 possessions or of any authority, commission, or instrumentality of the
20 United States to the extent includable in gross income for federal income
21 tax purposes but exempt from state income taxes under the laws of the
22 United States;

23 (b) There shall be subtracted that portion of the total dividends
24 and other income received from a regulated investment company which is
25 attributable to obligations described in subdivision (a) of this
26 subsection as reported to the recipient by the regulated investment
27 company;

28 (c) There shall be added interest or dividends received by the owner
29 of obligations of the District of Columbia, other states of the United
30 States, or their political subdivisions, authorities, commissions, or
31 instrumentalities to the extent excluded in the computation of gross

1 income for federal income tax purposes except that such interest or
2 dividends shall not be added if received by a corporation which is a
3 regulated investment company;

4 (d) There shall be added that portion of the total dividends and
5 other income received from a regulated investment company which is
6 attributable to obligations described in subdivision (c) of this
7 subsection and excluded for federal income tax purposes as reported to
8 the recipient by the regulated investment company; and

9 (e)(i) Any amount subtracted under this subsection shall be reduced
10 by any interest on indebtedness incurred to carry the obligations or
11 securities described in this subsection or the investment in the
12 regulated investment company and by any expenses incurred in the
13 production of interest or dividend income described in this subsection to
14 the extent that such expenses, including amortizable bond premiums, are
15 deductible in determining federal taxable income.

16 (ii) Any amount added under this subsection shall be reduced by any
17 expenses incurred in the production of such income to the extent
18 disallowed in the computation of federal taxable income.

19 (2) There shall be allowed a net operating loss derived from or
20 connected with Nebraska sources computed under rules and regulations
21 adopted and promulgated by the Tax Commissioner consistent, to the extent
22 possible under the Nebraska Revenue Act of 1967, with the laws of the
23 United States. For a resident individual, estate, or trust, the net
24 operating loss computed on the federal income tax return shall be
25 adjusted by the modifications contained in this section. For a
26 nonresident individual, estate, or trust or for a partial-year resident
27 individual, the net operating loss computed on the federal return shall
28 be adjusted by the modifications contained in this section and any
29 carryovers or carrybacks shall be limited to the portion of the loss
30 derived from or connected with Nebraska sources.

31 (3) There shall be subtracted from federal adjusted gross income for

1 all taxable years beginning on or after January 1, 1987, the amount of
2 any state income tax refund to the extent such refund was deducted under
3 the Internal Revenue Code, was not allowed in the computation of the tax
4 due under the Nebraska Revenue Act of 1967, and is included in federal
5 adjusted gross income.

6 (4) Federal adjusted gross income, or, for a fiduciary, federal
7 taxable income shall be modified to exclude the portion of the income or
8 loss received from a small business corporation with an election in
9 effect under subchapter S of the Internal Revenue Code or from a limited
10 liability company organized pursuant to the Nebraska Uniform Limited
11 Liability Company Act that is not derived from or connected with Nebraska
12 sources as determined in section 77-2734.01.

13 (5) There shall be subtracted from federal adjusted gross income or,
14 for corporations and fiduciaries, federal taxable income dividends
15 received or deemed to be received from corporations which are not subject
16 to the Internal Revenue Code.

17 (6) There shall be subtracted from federal taxable income a portion
18 of the income earned by a corporation subject to the Internal Revenue
19 Code of 1986 that is actually taxed by a foreign country or one of its
20 political subdivisions at a rate in excess of the maximum federal tax
21 rate for corporations. The taxpayer may make the computation for each
22 foreign country or for groups of foreign countries. The portion of the
23 taxes that may be deducted shall be computed in the following manner:

24 (a) The amount of federal taxable income from operations within a
25 foreign taxing jurisdiction shall be reduced by the amount of taxes
26 actually paid to the foreign jurisdiction that are not deductible solely
27 because the foreign tax credit was elected on the federal income tax
28 return;

29 (b) The amount of after-tax income shall be divided by one minus the
30 maximum tax rate for corporations in the Internal Revenue Code; and

31 (c) The result of the calculation in subdivision (b) of this

1 subsection shall be subtracted from the amount of federal taxable income
2 used in subdivision (a) of this subsection. The result of such
3 calculation, if greater than zero, shall be subtracted from federal
4 taxable income.

5 (7) Federal adjusted gross income shall be modified to exclude any
6 amount repaid by the taxpayer for which a reduction in federal tax is
7 allowed under section 1341(a)(5) of the Internal Revenue Code.

8 (8)(a) Federal adjusted gross income or, for corporations and
9 fiduciaries, federal taxable income shall be reduced, to the extent
10 included, by income from interest, earnings, and state contributions
11 received from the Nebraska educational savings plan trust created in
12 sections 85-1801 to 85-1814 and the achieving a better life experience
13 program as provided in sections 1 to 9 of this act.

14 (b) Federal adjusted gross income or, for corporations and
15 fiduciaries, federal taxable income shall be reduced by any contributions
16 as a participant in the Nebraska educational savings plan trust or in the
17 achieving a better life experience program as provided in sections 1 to 9
18 of this act, to the extent not deducted for federal income tax purposes,
19 but not to exceed five thousand dollars per married filing separate
20 return or ten thousand dollars for any other return. With respect to a
21 qualified rollover within the meaning of section 529 of the Internal
22 Revenue Code from another state's plan, any interest, earnings, and state
23 contributions received from the other state's educational savings plan
24 which is qualified under section 529 of the code shall qualify for the
25 reduction provided in this subdivision. For contributions by a custodian
26 of a custodial account including rollovers from another custodial
27 account, the reduction shall only apply to funds added to the custodial
28 account after January 1, 2014.

29 (c) Federal adjusted gross income or, for corporations and
30 fiduciaries, federal taxable income shall be increased by the amount
31 resulting from the cancellation of a participation agreement refunded to

1 the taxpayer as a participant in the Nebraska educational savings plan
2 trust to the extent previously deducted as a contribution to the trust.

3 (9)(a) For income tax returns filed after September 10, 2001, for
4 taxable years beginning or deemed to begin before January 1, 2006, under
5 the Internal Revenue Code of 1986, as amended, federal adjusted gross
6 income or, for corporations and fiduciaries, federal taxable income shall
7 be increased by eighty-five percent of any amount of any federal bonus
8 depreciation received under the federal Job Creation and Worker
9 Assistance Act of 2002 or the federal Jobs and Growth Tax Act of 2003,
10 under section 168(k) or section 1400L of the Internal Revenue Code of
11 1986, as amended, for assets placed in service after September 10, 2001,
12 and before December 31, 2005.

13 (b) For a partnership, limited liability company, cooperative,
14 including any cooperative exempt from income taxes under section 521 of
15 the Internal Revenue Code of 1986, as amended, limited cooperative
16 association, subchapter S corporation, or joint venture, the increase
17 shall be distributed to the partners, members, shareholders, patrons, or
18 beneficiaries in the same manner as income is distributed for use against
19 their income tax liabilities.

20 (c) For a corporation with a unitary business having activity both
21 inside and outside the state, the increase shall be apportioned to
22 Nebraska in the same manner as income is apportioned to the state by
23 section 77-2734.05.

24 (d) The amount of bonus depreciation added to federal adjusted gross
25 income or, for corporations and fiduciaries, federal taxable income by
26 this subsection shall be subtracted in a later taxable year. Twenty
27 percent of the total amount of bonus depreciation added back by this
28 subsection for tax years beginning or deemed to begin before January 1,
29 2003, under the Internal Revenue Code of 1986, as amended, may be
30 subtracted in the first taxable year beginning or deemed to begin on or
31 after January 1, 2005, under the Internal Revenue Code of 1986, as

1 amended, and twenty percent in each of the next four following taxable
2 years. Twenty percent of the total amount of bonus depreciation added
3 back by this subsection for tax years beginning or deemed to begin on or
4 after January 1, 2003, may be subtracted in the first taxable year
5 beginning or deemed to begin on or after January 1, 2006, under the
6 Internal Revenue Code of 1986, as amended, and twenty percent in each of
7 the next four following taxable years.

8 (10) For taxable years beginning or deemed to begin on or after
9 January 1, 2003, and before January 1, 2006, under the Internal Revenue
10 Code of 1986, as amended, federal adjusted gross income or, for
11 corporations and fiduciaries, federal taxable income shall be increased
12 by the amount of any capital investment that is expensed under section
13 179 of the Internal Revenue Code of 1986, as amended, that is in excess
14 of twenty-five thousand dollars that is allowed under the federal Jobs
15 and Growth Tax Act of 2003. Twenty percent of the total amount of
16 expensing added back by this subsection for tax years beginning or deemed
17 to begin on or after January 1, 2003, may be subtracted in the first
18 taxable year beginning or deemed to begin on or after January 1, 2006,
19 under the Internal Revenue Code of 1986, as amended, and twenty percent
20 in each of the next four following tax years.

21 (11)(a) Federal adjusted gross income shall be reduced by
22 contributions, up to two thousand dollars per married filing jointly
23 return or one thousand dollars for any other return, and any investment
24 earnings made as a participant in the Nebraska long-term care savings
25 plan under the Long-Term Care Savings Plan Act, to the extent not
26 deducted for federal income tax purposes.

27 (b) Federal adjusted gross income shall be increased by the
28 withdrawals made as a participant in the Nebraska long-term care savings
29 plan under the act by a person who is not a qualified individual or for
30 any reason other than transfer of funds to a spouse, long-term care
31 expenses, long-term care insurance premiums, or death of the participant,

1 including withdrawals made by reason of cancellation of the participation
2 agreement or termination of the plan, to the extent previously deducted
3 as a contribution or as investment earnings.

4 (12) There shall be added to federal adjusted gross income for
5 individuals, estates, and trusts any amount taken as a credit for
6 franchise tax paid by a financial institution under sections 77-3801 to
7 77-3807 as allowed by subsection (5) of section 77-2715.07.

8 (13) For taxable years beginning or deemed to begin on or after
9 January 1, 2015, under the Internal Revenue Code of 1986, as amended,
10 federal adjusted gross income shall be reduced by the amount received as
11 benefits under the federal Social Security Act which are included in the
12 federal adjusted gross income if:

13 (a) For taxpayers filing a married filing joint return, federal
14 adjusted gross income is fifty-eight thousand dollars or less; or

15 (b) For taxpayers filing any other return, federal adjusted gross
16 income is forty-three thousand dollars or less.

17 (14) For taxable years beginning or deemed to begin on or after
18 January 1, 2015, under the Internal Revenue Code of 1986, as amended, an
19 individual may make a one-time election within two calendar years after
20 the date of his or her retirement from the military to exclude income
21 received as a military retirement benefit by the individual to the extent
22 included in federal adjusted gross income and as provided in this
23 subsection. The individual may elect to exclude forty percent of his or
24 her military retirement benefit income for seven consecutive taxable
25 years beginning with the year in which the election is made or may elect
26 to exclude fifteen percent of his or her military retirement benefit
27 income for all taxable years beginning with the year in which he or she
28 turns sixty-seven years of age. For purposes of this subsection, military
29 retirement benefit means retirement benefits that are periodic payments
30 attributable to service in the uniformed services of the United States
31 for personal services performed by an individual prior to his or her

1 retirement.

2 Sec. 13. Original section 72-1239.01, Reissue Revised Statutes of
3 Nebraska, and sections 68-1201 and 77-2716, Revised Statutes Cumulative
4 Supplement, 2014, are repealed.

5 Sec. 14. Since an emergency exists, this act takes effect when
6 passed and approved according to law.