

LEGISLATURE OF NEBRASKA  
ONE HUNDRED FIFTH LEGISLATURE  
SECOND SESSION

**LEGISLATIVE BILL 730**

Introduced by Wayne, 13.

Read first time January 03, 2018

Committee: Revenue

- 1 A BILL FOR AN ACT relating to revenue and taxation; to adopt the
- 2       Ammunition Excise Tax Act.
- 3 Be it enacted by the people of the State of Nebraska,

1           Section 1. Sections 1 to 6 of this act shall be known and may be  
2 cited as the Ammunition Excise Tax Act.

3           Sec. 2. For purposes of the Ammunition Excise Tax Act:

4           (1) Ammunition means any self-contained cartridge or shotgun shell,  
5 by whatever name known, which is designed to be used or adaptable to use  
6 in a firearm. Such term shall not include:

7           (a) Any ammunition exclusively designed for use with a device used  
8 exclusively for signaling or safety and required or recommended by the  
9 United States Coast Guard; or

10          (b) Any ammunition designed exclusively for use with a stud or rivet  
11 driver or other similar industrial ammunition;

12          (2) Firearm means any weapon which is designed to or may readily be  
13 converted to expel any projectile by the action of an explosive;

14          (3) Retail dealer means any person who engages in the business of  
15 selling ammunition on a retail basis in this state; and

16          (4) Sales price has the same meaning as in section 77-2701.35.

17          Sec. 3. (1) A tax is hereby imposed upon the sale of ammunition by  
18 a retail dealer. The tax shall be equal to ten percent of the sales price  
19 of the ammunition sold.

20          (2) The Tax Commissioner shall collect the tax imposed by this  
21 section concurrently with collection of state sales and use taxes in the  
22 same manner as the state sales and use taxes are collected. The Tax  
23 Commissioner shall remit monthly the proceeds of the tax imposed in this  
24 section to the State Treasurer for credit as follows:

25          (a) Fifty percent of such proceeds shall be credited to the Wildlife  
26 Conservation Fund; and

27          (b) Fifty percent of such proceeds shall be credited to the Violence  
28 Prevention Cash Fund.

29          Sec. 4. All relevant provisions of the Nebraska Revenue Act of  
30 1967, as amended from time to time, and not inconsistent with the  
31 Ammunition Excise Tax Act, shall govern transactions, proceedings, and

1 activities pursuant to the tax imposed under section 3 of this act.

2       Sec. 5. The tax imposed under section 3 of this act shall not apply  
3 if:

4       (1) The ammunition is being sold to an office, division, or agency  
5 of the United States or to the State of Nebraska or any political  
6 subdivision thereof; or

7       (2) The ammunition being sold is blank ammunition.

8       Sec. 6. The Tax Commissioner may adopt and promulgate rules and  
9 regulations to carry out the Ammunition Excise Tax Act.