

AMENDMENTS TO LB538

(Amendments to Standing Committee amendments, AM900)

Introduced by Lathrop, 12.

1 1. Strike section 4.

2 2. On page 4, line 16, strike "(1) The department" and insert "(1)
3 (a) The Tax Commissioner or his or her agents or employees, at the
4 direction of the Tax Commissioner, or any peace officer of this state",
5 and after "seize" insert ", without a warrant,"; in line 24 after the
6 period insert paragraphing and "(b)"; in line 26 strike "(a)" and insert
7 "(i)"; in line 27 strike "(b)" and insert "(ii)"; and after line 28
8 insert the following new subdivision:

9 "(c) This section does not apply to any device (i) used in any
10 bingo, lottery by the sale of pickle cards, or other lottery, raffle, or
11 gift enterprise conducted in accordance with the Nebraska Bingo Act,
12 Nebraska County and City Lottery Act, Nebraska Lottery and Raffle Act,
13 Nebraska Pickle Card Lottery Act, Nebraska Small Lottery and Raffle Act,
14 State Lottery Act, or section 9-701, (ii) used for a prize contest as
15 defined in section 28-1101, or (iii) specifically authorized by the laws
16 of this state.".

17 3. On page 5, line 6, strike "seventy-five" and insert "two hundred
18 fifty".

19 4. On page 7, line 9, after "skill" insert "and not a game of
20 chance"; and in line 31 strike "occupation tax described in section
21 77-3004" and insert "application fee of two hundred fifty dollars".

22 5. On page 8, line 5, strike "payment of the occupation tax or";
23 after line 7 insert the following new subsection:

24 "(9) The owner or operator of a cash device shall pay an annual
25 renewal fee of two hundred fifty dollars to the department for each
26 device in operation in Nebraska. The renewal process shall be as

1 prescribed by rules and regulations adopted and promulgated by the
2 department. In addition to any other requirements under the Mechanical
3 Amusement Device Tax Act and such rules and regulations, after an initial
4 decal is issued, no renewal decal shall be issued for a cash device until
5 the annual renewal fee for such device has been paid."; in line 8 strike
6 "(9)" and insert "(10)"; and in lines 8 and 11 after "application" insert
7 "or renewal".

8 6. On page 10, line 9, strike the new matter and reinstate the
9 stricken matter.

10 7. Renumber the remaining sections and correct the repealer
11 accordingly.