

AMENDMENTS TO LB524

Introduced by Fredrickson, 20.

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

3           Section 1. Section 77-2701, Revised Statutes Cumulative Supplement,  
4 2022, is amended to read:

5           77-2701 Sections 77-2701 to 77-27,135.01, 77-27,222, 77-27,235,  
6 77-27,236, and 77-27,238 to 77-27,240 and section 2 of this act shall be  
7 known and may be cited as the Nebraska Revenue Act of 1967.

8           Sec. 2. (1) For purposes of this section:

9           (a) Agricultural producer means an individual or entity whose income  
10 is primarily attributable to crop or livestock production in the State of  
11 Nebraska;

12           (b) Department means the Department of Revenue;

13           (c) Food bank means an organization in this state that:

14           (i) Is exempt from federal income taxation under section 501(c)(3)  
15 of the Internal Revenue Code of 1986, as amended; and

16           (ii) Distributes food in ten or more counties in Nebraska and  
17 qualifies for the Emergency Food Assistance Program administered by the  
18 United States Department of Agriculture;

19           (d) Food pantry means an organization in this state that:

20           (i) Is exempt from federal income taxation under section 501(c)(3)  
21 of the Internal Revenue Code of 1986, as amended; and

22           (ii) Distributes emergency food supplies to low-income individuals  
23 in this state who would otherwise not have access to such food supplies;

24           (e) Food rescue means an organization in this state that:

25           (i) Is exempt from federal income taxation under section 501(c)(3)  
26 of the Internal Revenue Code of 1986, as amended; and

27           (ii) Accepts donations of food and delivers such food to food banks

1 or food pantries so that such food may be distributed to low-income  
2 individuals in this state;

3 (f) Grocery store retailer means a retailer located in this state  
4 that is primarily engaged in business activities classified as code  
5 445110 under the North American Industry Classification System;

6 (g) Qualifying agricultural food donation means a donation made by  
7 an agricultural producer to a food bank, food pantry, or food rescue of  
8 fresh or frozen fruits, vegetables, eggs, dairy products, or meat  
9 products grown or produced in the State of Nebraska which meets all  
10 applicable quality and labeling standards, along with any other  
11 applicable requirements of the food bank, food pantry, or food rescue to  
12 which the qualifying agricultural food donation is made; and

13 (h) Restaurant means a business located in this state that is  
14 primarily engaged in business activities classified as code 722511,  
15 722513, 722514, or 722515 under the North American Industry  
16 Classification System.

17 (2) For taxable years beginning or deemed to begin on or after  
18 January 1, 2024, under the Internal Revenue Code of 1986, as amended, a  
19 credit against the income tax imposed by the Nebraska Revenue Act of 1967  
20 shall be allowed to:

21 (a) Any grocery store retailer or restaurant that donates food to a  
22 food bank, food pantry, or food rescue during the taxable year; and

23 (b) Any agricultural producer that makes a qualifying agricultural  
24 food donation to a food bank, food pantry, or food rescue during the  
25 taxable year.

26 (3) The credit provided in this section shall be a nonrefundable  
27 credit in an amount equal to fifty percent of the value of the food  
28 donations or qualifying agricultural food donations made during the  
29 taxable year, not to exceed two thousand five hundred dollars. Any amount  
30 of the credit that the taxpayer is prohibited from claiming in a taxable  
31 year may be carried forward to any of the three subsequent taxable years.

1           (4) For purposes of this section, food donated by a grocery store  
2 retailer or restaurant shall be valued at its wholesale value. A  
3 qualifying agricultural food donation shall be valued at the prevailing  
4 market value of the product at the time of donation, plus the direct cost  
5 incurred by the agricultural producer for processing the product.

6           (5) To receive a credit under this section, a taxpayer shall submit  
7 an application to the department in a form and manner prescribed by the  
8 department. The application shall include the amount of food donated  
9 during the taxable year and any other information required by the  
10 department.

11           (6) If the department determines that an application is complete and  
12 that the taxpayer qualifies for credits, the department shall approve the  
13 application within the limits set forth in this section and shall certify  
14 the amount of credits approved to the taxpayer.

15           (7) The department may approve up to one million seven hundred fifty  
16 thousand dollars of credits each year. If the amount of credits requested  
17 by qualified taxpayers in any year exceeds such limit, the department  
18 shall allocate credits proportionally based on the amounts requested so  
19 that the limit is not exceeded.

20           (8) A taxpayer shall claim the credit by attaching the tax credit  
21 certification received from the department under subsection (6) of this  
22 section to the taxpayer's tax return.

23           (9) Any amount relating to such food donations or qualifying  
24 agricultural food donations that was subtracted from the taxpayer's  
25 federal adjusted gross income or federal taxable income must be added  
26 back in the determination of Nebraska adjusted gross income or taxable  
27 income before the credit provided in this section may be claimed.

28           (10) No credit granted under this section shall be transferred,  
29 sold, or assigned. No taxpayer shall be eligible to receive a credit  
30 under this section if such taxpayer employs persons who are not  
31 authorized to work in the United States under federal law. No taxpayer

1 shall be able to claim more than one credit under this section for a  
2 single donation.

3 (11) A food bank, food pantry, or food rescue may accept or reject  
4 any food donated under this section for any reason. Any food that is  
5 rejected shall not qualify for a credit under this section.

6 (12) The department may adopt and promulgate rules and regulations  
7 to carry out this section.

8 Sec. 3. Section 77-2715.07, Revised Statutes Cumulative Supplement,  
9 2022, is amended to read:

10 77-2715.07 (1) There shall be allowed to qualified resident  
11 individuals as a nonrefundable credit against the income tax imposed by  
12 the Nebraska Revenue Act of 1967:

13 (a) A credit equal to the federal credit allowed under section 22 of  
14 the Internal Revenue Code; and

15 (b) A credit for taxes paid to another state as provided in section  
16 77-2730.

17 (2) There shall be allowed to qualified resident individuals against  
18 the income tax imposed by the Nebraska Revenue Act of 1967:

19 (a) For returns filed reporting federal adjusted gross incomes of  
20 greater than twenty-nine thousand dollars, a nonrefundable credit equal  
21 to twenty-five percent of the federal credit allowed under section 21 of  
22 the Internal Revenue Code of 1986, as amended, except that for taxable  
23 years beginning or deemed to begin on or after January 1, 2015, such  
24 nonrefundable credit shall be allowed only if the individual would have  
25 received the federal credit allowed under section 21 of the code after  
26 adding back in any carryforward of a net operating loss that was deducted  
27 pursuant to such section in determining eligibility for the federal  
28 credit;

29 (b) For returns filed reporting federal adjusted gross income of  
30 twenty-nine thousand dollars or less, a refundable credit equal to a  
31 percentage of the federal credit allowable under section 21 of the

1 Internal Revenue Code of 1986, as amended, whether or not the federal  
2 credit was limited by the federal tax liability. The percentage of the  
3 federal credit shall be one hundred percent for incomes not greater than  
4 twenty-two thousand dollars, and the percentage shall be reduced by ten  
5 percent for each one thousand dollars, or fraction thereof, by which the  
6 reported federal adjusted gross income exceeds twenty-two thousand  
7 dollars, except that for taxable years beginning or deemed to begin on or  
8 after January 1, 2015, such refundable credit shall be allowed only if  
9 the individual would have received the federal credit allowed under  
10 section 21 of the code after adding back in any carryforward of a net  
11 operating loss that was deducted pursuant to such section in determining  
12 eligibility for the federal credit;

13 (c) A refundable credit as provided in section 77-5209.01 for  
14 individuals who qualify for an income tax credit as a qualified beginning  
15 farmer or livestock producer under the Beginning Farmer Tax Credit Act  
16 for all taxable years beginning or deemed to begin on or after January 1,  
17 2006, under the Internal Revenue Code of 1986, as amended;

18 (d) A refundable credit for individuals who qualify for an income  
19 tax credit under the Angel Investment Tax Credit Act, the Nebraska  
20 Advantage Microenterprise Tax Credit Act, the Nebraska Advantage Research  
21 and Development Act, or the Volunteer Emergency Responders Incentive Act;  
22 and

23 (e) A refundable credit equal to ten percent of the federal credit  
24 allowed under section 32 of the Internal Revenue Code of 1986, as  
25 amended, except that for taxable years beginning or deemed to begin on or  
26 after January 1, 2015, such refundable credit shall be allowed only if  
27 the individual would have received the federal credit allowed under  
28 section 32 of the code after adding back in any carryforward of a net  
29 operating loss that was deducted pursuant to such section in determining  
30 eligibility for the federal credit.

31 (3) There shall be allowed to all individuals as a nonrefundable

1 credit against the income tax imposed by the Nebraska Revenue Act of  
2 1967:

3 (a) A credit for personal exemptions allowed under section  
4 77-2716.01;

5 (b) A credit for contributions to certified community betterment  
6 programs as provided in the Community Development Assistance Act. Each  
7 partner, each shareholder of an electing subchapter S corporation, each  
8 beneficiary of an estate or trust, or each member of a limited liability  
9 company shall report his or her share of the credit in the same manner  
10 and proportion as he or she reports the partnership, subchapter S  
11 corporation, estate, trust, or limited liability company income;

12 (c) A credit for investment in a biodiesel facility as provided in  
13 section 77-27,236;

14 (d) A credit as provided in the New Markets Job Growth Investment  
15 Act;

16 (e) A credit as provided in the Nebraska Job Creation and Mainstreet  
17 Revitalization Act;

18 (f) A credit to employers as provided in sections 77-27,238 and  
19 77-27,240; ~~and~~

20 (g) A credit as provided in the Affordable Housing Tax Credit Act;  
21 and -

22 (h) A credit to grocery store retailers, restaurants, and  
23 agricultural producers as provided in section 2 of this act.

24 (4) There shall be allowed as a credit against the income tax  
25 imposed by the Nebraska Revenue Act of 1967:

26 (a) A credit to all resident estates and trusts for taxes paid to  
27 another state as provided in section 77-2730;

28 (b) A credit to all estates and trusts for contributions to  
29 certified community betterment programs as provided in the Community  
30 Development Assistance Act; and

31 (c) A refundable credit for individuals who qualify for an income

1 tax credit as an owner of agricultural assets under the Beginning Farmer  
2 Tax Credit Act for all taxable years beginning or deemed to begin on or  
3 after January 1, 2009, under the Internal Revenue Code of 1986, as  
4 amended. The credit allowed for each partner, shareholder, member, or  
5 beneficiary of a partnership, corporation, limited liability company, or  
6 estate or trust qualifying for an income tax credit as an owner of  
7 agricultural assets under the Beginning Farmer Tax Credit Act shall be  
8 equal to the partner's, shareholder's, member's, or beneficiary's portion  
9 of the amount of tax credit distributed pursuant to subsection (6) of  
10 section 77-5211.

11 (5)(a) For all taxable years beginning on or after January 1, 2007,  
12 and before January 1, 2009, under the Internal Revenue Code of 1986, as  
13 amended, there shall be allowed to each partner, shareholder, member, or  
14 beneficiary of a partnership, subchapter S corporation, limited liability  
15 company, or estate or trust a nonrefundable credit against the income tax  
16 imposed by the Nebraska Revenue Act of 1967 equal to fifty percent of the  
17 partner's, shareholder's, member's, or beneficiary's portion of the  
18 amount of franchise tax paid to the state under sections 77-3801 to  
19 77-3807 by a financial institution.

20 (b) For all taxable years beginning on or after January 1, 2009,  
21 under the Internal Revenue Code of 1986, as amended, there shall be  
22 allowed to each partner, shareholder, member, or beneficiary of a  
23 partnership, subchapter S corporation, limited liability company, or  
24 estate or trust a nonrefundable credit against the income tax imposed by  
25 the Nebraska Revenue Act of 1967 equal to the partner's, shareholder's,  
26 member's, or beneficiary's portion of the amount of franchise tax paid to  
27 the state under sections 77-3801 to 77-3807 by a financial institution.

28 (c) Each partner, shareholder, member, or beneficiary shall report  
29 his or her share of the credit in the same manner and proportion as he or  
30 she reports the partnership, subchapter S corporation, limited liability  
31 company, or estate or trust income. If any partner, shareholder, member,

1 or beneficiary cannot fully utilize the credit for that year, the credit  
2 may not be carried forward or back.

3 (6) There shall be allowed to all individuals nonrefundable credits  
4 against the income tax imposed by the Nebraska Revenue Act of 1967 as  
5 provided in section 77-3604 and refundable credits against the income tax  
6 imposed by the Nebraska Revenue Act of 1967 as provided in section  
7 77-3605.

8 (7)(a) For taxable years beginning or deemed to begin on or after  
9 January 1, 2020, and before January 1, 2026, under the Internal Revenue  
10 Code of 1986, as amended, a nonrefundable credit against the income tax  
11 imposed by the Nebraska Revenue Act of 1967 in the amount of five  
12 thousand dollars shall be allowed to any individual who purchases a  
13 residence during the taxable year if such residence:

14 (i) Is located within an area that has been declared an extremely  
15 blighted area under section 18-2101.02;

16 (ii) Is the individual's primary residence; and

17 (iii) Was not purchased from a family member of the individual or a  
18 family member of the individual's spouse.

19 (b) The credit provided in this subsection shall be claimed for the  
20 taxable year in which the residence is purchased. If the individual  
21 cannot fully utilize the credit for such year, the credit may be carried  
22 forward to subsequent taxable years until fully utilized.

23 (c) No more than one credit may be claimed under this subsection  
24 with respect to a single residence.

25 (d) The credit provided in this subsection shall be subject to  
26 recapture by the Department of Revenue if the individual claiming the  
27 credit sells or otherwise transfers the residence or quits using the  
28 residence as his or her primary residence within five years after the end  
29 of the taxable year in which the credit was claimed.

30 (e) For purposes of this subsection, family member means an  
31 individual's spouse, child, parent, brother, sister, grandchild, or



1 grandparent, whether by blood, marriage, or adoption.

2 (8) There shall be allowed to all individuals refundable credits  
3 against the income tax imposed by the Nebraska Revenue Act of 1967 as  
4 provided in the Nebraska Higher Blend Tax Credit Act, the Nebraska  
5 Property Tax Incentive Act, and the Renewable Chemical Production Tax  
6 Credit Act.

7 (9)(a) For taxable years beginning or deemed to begin on or after  
8 January 1, 2022, under the Internal Revenue Code of 1986, as amended, a  
9 refundable credit against the income tax imposed by the Nebraska Revenue  
10 Act of 1967 shall be allowed to the parent of a stillborn child if:

11 (i) A fetal death certificate is filed pursuant to subsection (1) of  
12 section 71-606 for such child;

13 (ii) Such child had advanced to at least the twentieth week of  
14 gestation; and

15 (iii) Such child would have been a dependent of the individual  
16 claiming the credit.

17 (b) The amount of the credit shall be two thousand dollars.

18 (c) The credit shall be allowed for the taxable year in which the  
19 stillbirth occurred.

20 Sec. 4. Section 77-2717, Revised Statutes Cumulative Supplement,  
21 2022, is amended to read:

22 77-2717 (1)(a)(i) For taxable years beginning or deemed to begin  
23 before January 1, 2014, the tax imposed on all resident estates and  
24 trusts shall be a percentage of the federal taxable income of such  
25 estates and trusts as modified in section 77-2716, plus a percentage of  
26 the federal alternative minimum tax and the federal tax on premature or  
27 lump-sum distributions from qualified retirement plans. The additional  
28 taxes shall be recomputed by (A) substituting Nebraska taxable income for  
29 federal taxable income, (B) calculating what the federal alternative  
30 minimum tax would be on Nebraska taxable income and adjusting such  
31 calculations for any items which are reflected differently in the

1 determination of federal taxable income, and (C) applying Nebraska rates  
2 to the result. The federal credit for prior year minimum tax, after the  
3 recomputations required by the Nebraska Revenue Act of 1967, and the  
4 credits provided in the Nebraska Advantage Microenterprise Tax Credit Act  
5 and the Nebraska Advantage Research and Development Act shall be allowed  
6 as a reduction in the income tax due. A refundable income tax credit  
7 shall be allowed for all resident estates and trusts under the Angel  
8 Investment Tax Credit Act, the Nebraska Advantage Microenterprise Tax  
9 Credit Act, and the Nebraska Advantage Research and Development Act. A  
10 nonrefundable income tax credit shall be allowed for all resident estates  
11 and trusts as provided in the New Markets Job Growth Investment Act.

12 (ii) For taxable years beginning or deemed to begin on or after  
13 January 1, 2014, the tax imposed on all resident estates and trusts shall  
14 be a percentage of the federal taxable income of such estates and trusts  
15 as modified in section 77-2716, plus a percentage of the federal tax on  
16 premature or lump-sum distributions from qualified retirement plans. The  
17 additional taxes shall be recomputed by substituting Nebraska taxable  
18 income for federal taxable income and applying Nebraska rates to the  
19 result. The credits provided in the Nebraska Advantage Microenterprise  
20 Tax Credit Act and the Nebraska Advantage Research and Development Act  
21 shall be allowed as a reduction in the income tax due. A refundable  
22 income tax credit shall be allowed for all resident estates and trusts  
23 under the Angel Investment Tax Credit Act, the Nebraska Advantage  
24 Microenterprise Tax Credit Act, the Nebraska Advantage Research and  
25 Development Act, the Nebraska Higher Blend Tax Credit Act, the Nebraska  
26 Property Tax Incentive Act, and the Renewable Chemical Production Tax  
27 Credit Act. A nonrefundable income tax credit shall be allowed for all  
28 resident estates and trusts as provided in the Nebraska Job Creation and  
29 Mainstreet Revitalization Act, the New Markets Job Growth Investment Act,  
30 the School Readiness Tax Credit Act, the Affordable Housing Tax Credit  
31 Act, and sections 77-27,238 and 77-27,240 and section 2 of this act.

1 (b) The tax imposed on all nonresident estates and trusts shall be  
2 the portion of the tax imposed on resident estates and trusts which is  
3 attributable to the income derived from sources within this state. The  
4 tax which is attributable to income derived from sources within this  
5 state shall be determined by multiplying the liability to this state for  
6 a resident estate or trust with the same total income by a fraction, the  
7 numerator of which is the nonresident estate's or trust's Nebraska income  
8 as determined by sections 77-2724 and 77-2725 and the denominator of  
9 which is its total federal income after first adjusting each by the  
10 amounts provided in section 77-2716. The federal credit for prior year  
11 minimum tax, after the recomputations required by the Nebraska Revenue  
12 Act of 1967, reduced by the percentage of the total income which is  
13 attributable to income from sources outside this state, and the credits  
14 provided in the Nebraska Advantage Microenterprise Tax Credit Act and the  
15 Nebraska Advantage Research and Development Act shall be allowed as a  
16 reduction in the income tax due. A refundable income tax credit shall be  
17 allowed for all nonresident estates and trusts under the Angel Investment  
18 Tax Credit Act, the Nebraska Advantage Microenterprise Tax Credit Act,  
19 the Nebraska Advantage Research and Development Act, the Nebraska Higher  
20 Blend Tax Credit Act, the Nebraska Property Tax Incentive Act, and the  
21 Renewable Chemical Production Tax Credit Act. A nonrefundable income tax  
22 credit shall be allowed for all nonresident estates and trusts as  
23 provided in the Nebraska Job Creation and Mainstreet Revitalization Act,  
24 the New Markets Job Growth Investment Act, the School Readiness Tax  
25 Credit Act, the Affordable Housing Tax Credit Act, and sections 77-27,238  
26 and 77-27,240 and section 2 of this act.

27 (2) In all instances wherein a fiduciary income tax return is  
28 required under the provisions of the Internal Revenue Code, a Nebraska  
29 fiduciary return shall be filed, except that a fiduciary return shall not  
30 be required to be filed regarding a simple trust if all of the trust's  
31 beneficiaries are residents of the State of Nebraska, all of the trust's

1 income is derived from sources in this state, and the trust has no  
2 federal tax liability. The fiduciary shall be responsible for making the  
3 return for the estate or trust for which he or she acts, whether the  
4 income be taxable to the estate or trust or to the beneficiaries thereof.  
5 The fiduciary shall include in the return a statement of each  
6 beneficiary's distributive share of net income when such income is  
7 taxable to such beneficiaries.

8 (3) The beneficiaries of such estate or trust who are residents of  
9 this state shall include in their income their proportionate share of  
10 such estate's or trust's federal income and shall reduce their Nebraska  
11 tax liability by their proportionate share of the credits as provided in  
12 the Angel Investment Tax Credit Act, the Nebraska Advantage  
13 Microenterprise Tax Credit Act, the Nebraska Advantage Research and  
14 Development Act, the Nebraska Job Creation and Mainstreet Revitalization  
15 Act, the New Markets Job Growth Investment Act, the School Readiness Tax  
16 Credit Act, the Affordable Housing Tax Credit Act, the Nebraska Higher  
17 Blend Tax Credit Act, the Nebraska Property Tax Incentive Act, the  
18 Renewable Chemical Production Tax Credit Act, and sections 77-27,238 and  
19 77-27,240 and section 2 of this act. There shall be allowed to a  
20 beneficiary a refundable income tax credit under the Beginning Farmer Tax  
21 Credit Act for all taxable years beginning or deemed to begin on or after  
22 January 1, 2001, under the Internal Revenue Code of 1986, as amended.

23 (4) If any beneficiary of such estate or trust is a nonresident  
24 during any part of the estate's or trust's taxable year, he or she shall  
25 file a Nebraska income tax return which shall include (a) in Nebraska  
26 adjusted gross income that portion of the estate's or trust's Nebraska  
27 income, as determined under sections 77-2724 and 77-2725, allocable to  
28 his or her interest in the estate or trust and (b) a reduction of the  
29 Nebraska tax liability by his or her proportionate share of the credits  
30 as provided in the Angel Investment Tax Credit Act, the Nebraska  
31 Advantage Microenterprise Tax Credit Act, the Nebraska Advantage Research

1 and Development Act, the Nebraska Job Creation and Mainstreet  
2 Revitalization Act, the New Markets Job Growth Investment Act, the School  
3 Readiness Tax Credit Act, the Affordable Housing Tax Credit Act, the  
4 Nebraska Higher Blend Tax Credit Act, the Nebraska Property Tax Incentive  
5 Act, the Renewable Chemical Production Tax Credit Act, and sections  
6 77-27,238 and 77-27,240 and section 2 of this act and shall execute and  
7 forward to the fiduciary, on or before the original due date of the  
8 Nebraska fiduciary return, an agreement which states that he or she will  
9 file a Nebraska income tax return and pay income tax on all income  
10 derived from or connected with sources in this state, and such agreement  
11 shall be attached to the Nebraska fiduciary return for such taxable year.

12 (5) In the absence of the nonresident beneficiary's executed  
13 agreement being attached to the Nebraska fiduciary return, the estate or  
14 trust shall remit a portion of such beneficiary's income which was  
15 derived from or attributable to Nebraska sources with its Nebraska return  
16 for the taxable year. For taxable years beginning or deemed to begin  
17 before January 1, 2013, the amount of remittance, in such instance, shall  
18 be the highest individual income tax rate determined under section  
19 77-2715.02 multiplied by the nonresident beneficiary's share of the  
20 estate or trust income which was derived from or attributable to sources  
21 within this state. For taxable years beginning or deemed to begin on or  
22 after January 1, 2013, the amount of remittance, in such instance, shall  
23 be the highest individual income tax rate determined under section  
24 77-2715.03 multiplied by the nonresident beneficiary's share of the  
25 estate or trust income which was derived from or attributable to sources  
26 within this state. The amount remitted shall be allowed as a credit  
27 against the Nebraska income tax liability of the beneficiary.

28 (6) The Tax Commissioner may allow a nonresident beneficiary to not  
29 file a Nebraska income tax return if the nonresident beneficiary's only  
30 source of Nebraska income was his or her share of the estate's or trust's  
31 income which was derived from or attributable to sources within this

1 state, the nonresident did not file an agreement to file a Nebraska  
2 income tax return, and the estate or trust has remitted the amount  
3 required by subsection (5) of this section on behalf of such nonresident  
4 beneficiary. The amount remitted shall be retained in satisfaction of the  
5 Nebraska income tax liability of the nonresident beneficiary.

6 (7) For purposes of this section, unless the context otherwise  
7 requires, simple trust shall mean any trust instrument which (a) requires  
8 that all income shall be distributed currently to the beneficiaries, (b)  
9 does not allow amounts to be paid, permanently set aside, or used in the  
10 tax year for charitable purposes, and (c) does not distribute amounts  
11 allocated in the corpus of the trust. Any trust which does not qualify as  
12 a simple trust shall be deemed a complex trust.

13 (8) For purposes of this section, any beneficiary of an estate or  
14 trust that is a grantor trust of a nonresident shall be disregarded and  
15 this section shall apply as though the nonresident grantor was the  
16 beneficiary.

17 Sec. 5. Section 77-2734.03, Revised Statutes Cumulative Supplement,  
18 2022, is amended to read:

19 77-2734.03 (1)(a) For taxable years commencing prior to January 1,  
20 1997, any (i) insurer paying a tax on premiums and assessments pursuant  
21 to section 77-908 or 81-523, (ii) electric cooperative organized under  
22 the Joint Public Power Authority Act, or (iii) credit union shall be  
23 credited, in the computation of the tax due under the Nebraska Revenue  
24 Act of 1967, with the amount paid during the taxable year as taxes on  
25 such premiums and assessments and taxes in lieu of intangible tax.

26 (b) For taxable years commencing on or after January 1, 1997, any  
27 insurer paying a tax on premiums and assessments pursuant to section  
28 77-908 or 81-523, any electric cooperative organized under the Joint  
29 Public Power Authority Act, or any credit union shall be credited, in the  
30 computation of the tax due under the Nebraska Revenue Act of 1967, with  
31 the amount paid during the taxable year as (i) taxes on such premiums and

1 assessments included as Nebraska premiums and assessments under section  
2 77-2734.05 and (ii) taxes in lieu of intangible tax.

3 (c) For taxable years commencing or deemed to commence prior to, on,  
4 or after January 1, 1998, any insurer paying a tax on premiums and  
5 assessments pursuant to section 77-908 or 81-523 shall be credited, in  
6 the computation of the tax due under the Nebraska Revenue Act of 1967,  
7 with the amount paid during the taxable year as assessments allowed as an  
8 offset against premium and related retaliatory tax liability pursuant to  
9 section 44-4233.

10 (2) There shall be allowed to corporate taxpayers a tax credit for  
11 contributions to community betterment programs as provided in the  
12 Community Development Assistance Act.

13 (3) There shall be allowed to corporate taxpayers a refundable  
14 income tax credit under the Beginning Farmer Tax Credit Act for all  
15 taxable years beginning or deemed to begin on or after January 1, 2001,  
16 under the Internal Revenue Code of 1986, as amended.

17 (4) The changes made to this section by Laws 2004, LB 983, apply to  
18 motor fuels purchased during any tax year ending or deemed to end on or  
19 after January 1, 2005, under the Internal Revenue Code of 1986, as  
20 amended.

21 (5) There shall be allowed to corporate taxpayers refundable income  
22 tax credits under the Nebraska Advantage Microenterprise Tax Credit Act,  
23 the Nebraska Advantage Research and Development Act, the Nebraska Higher  
24 Blend Tax Credit Act, the Nebraska Property Tax Incentive Act, and the  
25 Renewable Chemical Production Tax Credit Act.

26 (6) There shall be allowed to corporate taxpayers a nonrefundable  
27 income tax credit for investment in a biodiesel facility as provided in  
28 section 77-27,236.

29 (7) There shall be allowed to corporate taxpayers a nonrefundable  
30 income tax credit as provided in the Nebraska Job Creation and Mainstreet  
31 Revitalization Act, the New Markets Job Growth Investment Act, the School

1 Readiness Tax Credit Act, the Affordable Housing Tax Credit Act, and  
2 sections 77-27,238 and 77-27,240 and section 2 of this act.

3 Sec. 6. Original sections 77-2701, 77-2715.07, 77-2717, and  
4 77-2734.03, Revised Statutes Cumulative Supplement, 2022, are repealed.