

LEGISLATURE OF NEBRASKA
ONE HUNDRED EIGHTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 3

Introduced by Sanders, 45.

Read first time January 05, 2023

Committee:

1 A BILL FOR AN ACT relating to bonds; to amend sections 10-110, 10-402,
2 10-403, 10-405, 10-507, 10-711, 10-804, and 13-509, Reissue Revised
3 Statutes of Nebraska; to change provisions relating to the levying
4 of taxes for bond sinking funds; to provide for the levying of taxes
5 for bonds prior to the bond being issued and a deadline for
6 notifying the county assessor of approved bonds in order to correct
7 valuation of property; to harmonize provisions; and to repeal the
8 original sections.
9 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 10-110, Reissue Revised Statutes of Nebraska, is
2 amended to read:

3 10-110 The county clerk shall ascertain from the assessment roll of
4 the county the amount of taxable property in such county and the
5 percentage required to be levied thereon to pay the interest and to
6 create a sinking fund. The county ~~board clerk~~ shall levy such percentage
7 upon the taxable property of the county, and the county clerk shall place
8 the same upon the tax roll of the county in a separate column or columns,
9 designating the purposes for which the taxes are levied. The taxes shall
10 be collected by the county treasurer in the same manner that other taxes
11 are collected.

12 Sec. 2. Section 10-402, Reissue Revised Statutes of Nebraska, is
13 amended to read:

14 10-402 The proposition of the question must be accompanied by a
15 provision to levy a tax annually for the payment of the interest on said
16 ~~bonds as it becomes due~~; Provided, an additional amount shall be levied
17 and collected to pay the principal of said bonds ~~when it shall become~~
18 ~~due~~.

19 Sec. 3. Section 10-403, Reissue Revised Statutes of Nebraska, is
20 amended to read:

21 10-403 The proposition shall state the rate of interest such bond
22 shall draw, ~~and when the principal and interest shall be made payable~~.

23 Sec. 4. Section 10-405, Reissue Revised Statutes of Nebraska, is
24 amended to read:

25 10-405 It shall be the duty of the proper officers of such county or
26 city to cause to be annually levied, collected and paid to the holders of
27 such bonds a special tax on all taxable property within said county or
28 city sufficient to pay the annual interest and ~~as the same becomes due~~.
29 ~~When the principal of said bonds becomes due such officers shall in like~~
30 ~~manner levy and collect an additional amount sufficient to pay the same~~
31 ~~as it becomes due~~; Provided, not more than twenty percent of the

1 principal of said bonds shall be collected in any one year.

2 Sec. 5. Section 10-507, Reissue Revised Statutes of Nebraska, is
3 amended to read:

4 10-507 The county board of any county issuing bonds under the
5 provisions of sections 10-501 to 10-509 shall levy a tax annually for the
6 payment of the interest on said bonds ~~as it becomes due~~; Provided, an
7 additional amount shall be levied and collected sufficient to pay the
8 principal of such bonds at maturity; and provided, not more than twenty
9 percent of the principal of said bonds shall be levied and collected in
10 any one year.

11 Sec. 6. Section 10-711, Reissue Revised Statutes of Nebraska, is
12 amended to read:

13 10-711 It shall be the duty of the county board in each county to
14 levy annually upon all the taxable property in each school district in
15 such county a tax sufficient to pay the interest that will accrue or is
16 accruing upon any bonds that have been or will be issued by such school
17 district and to provide a sinking fund for the final redemption of the
18 same. Such levy shall be made with the annual levy of the county and the
19 taxes collected with other taxes and when collected shall be paid over to
20 the county treasurer of the county in which the administrative office of
21 such school district is located and shall remain in the hands of such
22 county treasurer as a specific fund for the payment of the interest upon
23 such bonds and for the final payment of the same at maturity. At the
24 request of the school board of any district, the county board shall omit
25 making a levy to pay the principal of the bonds when no bonds will be due
26 within fifteen years thereafter.

27 Sec. 7. Section 10-804, Reissue Revised Statutes of Nebraska, is
28 amended to read:

29 10-804 The proposition, when submitted, shall state the amount
30 necessary to be raised each year for the payment of the interest on said
31 bonds, and for the payment of the principal thereof at maturity. When

1 such bonds shall have been issued or authorized to be issued, the proper
2 officers of such county shall cause to be annually levied and collected a
3 special tax upon all taxable property of such county to raise the annual
4 amount designated in said proposition, and to pay the interest and
5 principal of said bonds ~~as the same become due and payable~~.

6 Sec. 8. Section 13-509, Reissue Revised Statutes of Nebraska, is
7 amended to read:

8 13-509 (1) On or before August 20 of each year, the county assessor
9 shall certify to each governing body or board empowered to levy or
10 certify a tax levy the current taxable value of the taxable real and
11 personal property subject to the applicable levy. The certification shall
12 be provided to the governing body or board (a) by mail if requested by
13 the governing body or board, (b) electronically, or (c) by listing such
14 certification on the county assessor's website.

15 (2) Current taxable value for real property shall mean the value
16 established by the county assessor and equalized by the county board of
17 equalization and the Tax Equalization and Review Commission. Current
18 taxable value for tangible personal property shall mean the net book
19 value reported by the taxpayer and certified by the county assessor.

20 (3) If a political subdivision annexes property since the last time
21 taxable values were certified under subsection (1) of this section, the
22 governing body of such political subdivision shall file and record a
23 certified copy of the annexation ordinance, petition, or resolution in
24 the office of the register of deeds or, if none, the county clerk and the
25 county assessor of the county in which the annexed property is located.
26 The annexation ordinance, petition, or resolution shall include a full
27 legal description of the annexed property. If the register of deeds or
28 county clerk receives and records such ordinance, petition, or resolution
29 prior to July 1 or, for annexations by a city of the metropolitan class,
30 prior to August 1, the valuation of the real and personal property
31 annexed shall be considered in the taxable valuation of the annexing

1 political subdivision for the current year. If the register of deeds or
2 county clerk receives and records such ordinance, petition, or resolution
3 on or after July 1 or, for annexations by a city of the metropolitan
4 class, on or after August 1, the valuation of the real and personal
5 property annexed shall be considered in the taxable valuation of the
6 annexing political subdivision for the following year.

7 (4) If the legal voters of a political subdivision have approved a
8 bond since the last time taxable values were certified under subsection
9 (1) of this section, the governing body of such political subdivision
10 shall file a copy of the bond language approved by the legal voters of
11 the political subdivision and a full legal description of the property
12 subject to the bond with the county assessor of the county or counties in
13 which such political subdivision is located. If the county assessor
14 receives such copy and full legal description prior to July 1 or, for
15 bonds of a city of the metropolitan class, prior to August 1, the
16 valuation of the real and personal property subject to the bond shall be
17 included in the value certified by the county assessor pursuant to
18 subsection (1) of this section for the current year. If the county
19 assessor receives such copy and full legal description on or after July 1
20 or, for bonds of a city of the metropolitan class, on or after August 1,
21 the valuation of the real and personal property subject to the bond shall
22 be included in the value certified by the county assessor pursuant to
23 subsection (1) of this section for the following year.

24 Sec. 9. Original sections 10-110, 10-402, 10-403, 10-405, 10-507,
25 10-711, 10-804, and 13-509, Reissue Revised Statutes of Nebraska, are
26 repealed.