LEGISLATURE OF NEBRASKA<br>ONE HUNDRED FIFTH LEGISLATURE

FIRST SESSION

## LEGISLATIVE BILL 667

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Introduced by Hilkemann, 4; Smith, 14.
Read first time January 18, 2017
Committee:
A BILL FOR AN ACT relating to horseracing; to amend section 2-1208.01, Reissue Revised Statutes of Nebraska, and section 2-1208, Revised Statutes Cumulative Supplement, 2016; to eliminate a prohibition on taxes and fees; to change taxation of parimutuel wagering; and to repeal the original sections.
Be it enacted by the people of the State of Nebraska,
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Section 1. Section 2-1208, Revised Statutes Cumulative Supplement, 2016, is amended to read:

2-1208 For all race meetings, every corporation or association licensed under the provisions of sections $2-1201$ to $2-1218$ shall pay the tax imposed by section 2-1208.01 and shall also pay to the State Racing Commission the sum of sixty-four one hundredths of one percent of the gross sum wagered by the parimutuel method at each licensed racetrack enclosure during the calendar year. For race meetings devoted principally to running live races, the licensee shall pay to the commission the sum of fifty dollars for each live racing day that the licensee serves as the host track for intrastate simulcasting and twenty-five dollars for any other live racing day.

No other license tax, permit tax, occupation tax, or excise tax or facing fee, except as provided in this section and in sections 2-1203 and 2-1208.01, shall be levied, assessed, or collected from any such licensee by the state or by any county, township, district, city, village, or other governmental subdivision or body having power to levy, assess, of collect any such tax or fee.

Sec. 2. Section 2-1208.01, Reissue Revised Statutes of Nebraska, is amended to read:

2-1208.01 (1) There is hereby imposed a tax on the gross sum wagered by the parimutuel method at each race enclosure during a calendar year at the rate of five and one-half percent. as follows:
(a) The first ten million dollars shall not be taxed;
(b) Any amount over ten million dollars but less than or equal to seventy-three million dollars shall be taxed at the rate of two and onehalf percent; and
(c) Any amount in excess of seventy three million dollars shall be taxed at the rate of four percent.
(2)(a) Except as provided in subdivision (2)(b) of this section, an amount equal to two percent of the first taxable seventy million dollars

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at each race meeting shall be retained by the licensee for capital
improvements and for maintenance of the premises within the licensed
racetrack enclosure and shall be a credit against the tax levied in
subsection (1) of this section.-This subdivision includes each race
meeting held after January 1, 2010, within the licensed racetrack
enclosure located in Lancaster County where the Nebraska State Fair was
held prior to 2010.
(b) For race meetings conducted at the location where the Nebraska State Fair is held, an amount equal to two and one-half percent of the first taxable seventy million dollars at each race meeting shall be retained by the licensee for the purpose of maintenance of the premises within the licensed racetrack enclosure and maintenance of other buildings, streets, utilities, and existing improvements at the location where the Nebraska State Fair is held. Such amount shall be a credit against the tax levied in subsection (1) of this section.
(3) A return as required by the Tax Commissioner shall be filed for a racetrack enclosure for each month during which wagers are accepted at the enclosure. The return shall be filed with and the net tax due pursuant to this section shall be paid to the Department of Revenue on the tenth day of the following month.
Sec. 3. Original section 2-1208.01, Reissue Revised Statutes of Nebraska, and section 2-1208, Revised Statutes Cumulative Supplement, 2016, are repealed.
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