

LEGISLATURE OF NEBRASKA
ONE HUNDRED EIGHTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 877

Introduced by Holdcroft, 36; Bostar, 29; Lippincott, 34.

Read first time January 03, 2024

Committee: Revenue

- 1 A BILL FOR AN ACT relating to assessment of property; to amend sections
- 2 77-1344 and 77-1347, Revised Statutes Supplement, 2023; to change
- 3 provisions relating to the special valuation of agricultural or
- 4 horticultural land; to provide for retroactive applicability; to
- 5 repeal the original sections; and to declare an emergency.
- 6 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 77-1344, Revised Statutes Supplement, 2023, is
2 amended to read:

3 77-1344 (1) Agricultural or horticultural land which has an actual
4 value as defined in section 77-112 reflecting purposes or uses other than
5 agricultural or horticultural purposes or uses shall be assessed as
6 provided in subsection (3) of section 77-201 if the land meets the
7 qualifications of this subsection and an application for such special
8 valuation is filed and approved pursuant to section 77-1345. In order for
9 the land to qualify for special valuation, the land shall ~~must~~ be
10 agricultural or horticultural land and (a) the land shall ~~must~~ consist of
11 five contiguous acres or more or (b) if the land consists of less than
12 five contiguous acres, the owner or lessee of the land shall provide an
13 Internal Revenue Service Schedule F or other suitable tax document
14 reporting a profit or loss from farming for two out of the last three
15 years for such land.

16 (2) The eligibility of land for the special valuation provisions of
17 this section shall be determined each year as of January 1. If the land
18 so qualified becomes disqualified on or before December 31 of that year,
19 it shall continue to receive the special valuation until January 1 of the
20 year following.

21 (3) The special valuation placed on such land by the county assessor
22 under this section shall be subject to equalization by the county board
23 of equalization and the Tax Equalization and Review Commission.

24 (4) The changes made in this section by this legislative bill shall
25 apply retroactively to January 1, 2023.

26 Sec. 2. Section 77-1347, Revised Statutes Supplement, 2023, is
27 amended to read:

28 77-1347 Upon approval of an application, the county assessor shall
29 value the land as provided in section 77-1344 until the land becomes
30 disqualified for such valuation by:

31 (1) Written notification by the applicant or his or her successor in

1 interest to the county assessor to remove such special valuation;

2 (2) Inclusion of the land within the corporate boundaries of any
3 sanitary and improvement district, city, or village, except that this
4 subdivision shall not apply on or after January 1, 2023;~~or~~

5 (3) The land no longer qualifying as agricultural or horticultural
6 land; or -

7 (4) For land that consists of less than five contiguous acres, the
8 owner or lessee of the land not providing an Internal Revenue Service
9 Schedule F or other suitable tax document reporting a profit or loss from
10 farming for two out of the last three years.

11 Sec. 3. Original sections 77-1344 and 77-1347, Revised Statutes
12 Supplement, 2023, are repealed.

13 Sec. 4. Since an emergency exists, this act takes effect when
14 passed and approved according to law.