SENATE BILL NO. 262–COMMITTEE ON TAXATION

FEBRUARY 26, 1999

Referred to Committee on Taxation

SUMMARY—Creates presumption that certain tangible personal property initially used in interstate or foreign commerce outside this state was not purchased for storage, use or other consumption in this state. (BDR 32-940)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State or on Industrial Insurance: No.

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EXPLANATION – Matter in ***bolded italics*** is new; matter between brackets ~~[omitted material]~~ is material to be omitted.

AN ACT relating to taxation; creating a presumption that certain tangible personal property initially used in interstate or foreign commerce outside this state was not purchased for storage, use or other consumption in this state; and providing other matters properly relating thereto.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Chapter 372 of NRS is hereby amended by adding thereto a new section to read as follows:

1. Except as otherwise provided in NRS 372.255, it is presumed that tangible personal property delivered outside this state to a purchaser was not purchased from a retailer for storage, use or other consumption in this state if the property:

(a) Was purchased for initial use in interstate or foreign commerce outside this state; and

(b) Is used predominantly in interstate or foreign commerce.

2. As used in this section:

(a) "Interstate or foreign commerce" means the transportation of passengers or property between:

(1) A point in one state and a point in:

(I) Another state;

(II) A possession or territory of the United States; or

(III) A foreign country; or

(2) Points in the same state through:

(I) Another state;
(II) A possession or territory of the United States; or
(III) A foreign country.
(b) "State" includes the District of Columbia.

Sec. 2. Chapter 374 of NRS is hereby amended by adding thereto a new section to read as follows:

1. Except as otherwise provided in NRS 374.260, it is presumed that tangible personal property delivered outside this state to a purchaser was not purchased from a retailer for storage, use or other consumption in this state if the property:

(a) Was purchased for initial use in interstate or foreign commerce outside this state; and

(b) Is used predominantly in interstate or foreign commerce.

2. As used in this section:

(a) "Interstate or foreign commerce" means the transportation of passengers or property between:

(1) A point in one state and a point in:
(I) Another state;
(II) A possession or territory of the United States; or
(III) A foreign country; or
(2) Points in the same state through:
(I) Another state;
(II) A possession or territory of the United States; or
(III) A foreign country.
(b) "State" includes the District of Columbia.

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