

SENATE BILL NO. 477—COMMITTEE ON GOVERNMENT AFFAIRS

MARCH 18, 1999

Referred to Committee on Taxation

SUMMARY—Raises tax on rental of transient lodging within Washoe County to pay certain costs related to promotion of tourism. (BDR 20-1641)

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; raising the tax on the rental of transient lodging within Washoe County to pay certain costs related to the promotion of tourism; requiring the Reno/Sparks Convention and Visitors Authority to grant to the Lake Tahoe Incline Village and Crystal Bay Visitors Bureau a certain percentage of the taxes collected from the rental of transient lodging in Incline Village and Crystal Bay to pay certain costs related to the promotion of tourism; authorizing the City Council of the City of Sparks to impose by ordinance a tax on the rental of transient lodging within the City of Sparks; imposing certain requirements with respect to air travel by officers and employees of certain county fair and recreation boards; and providing other matters properly relating thereto.

WHEREAS, The legislature hereby finds and declares that a general law cannot be made applicable for all provisions of this act because of the economic and geographical diversity of the local governments of this state, the unique growth patterns in those local governments and the special conditions experienced in Washoe County related to the need to revitalize specific areas of Washoe County; now, therefore,

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

Section 1. 1. A tax at the rate of:

(a) Three percent of the gross receipts from the rental of transient lodging is hereby imposed in:

- (1) The unincorporated area of Washoe County; and
- (2) Each incorporated city in Washoe County, except in the district described in NRS 268.780 to 268.785, inclusive.

(b) Two percent of the gross receipts from the rental of transient lodging is hereby imposed in the district described in NRS 268.780 to 268.785, inclusive.

2. The tax imposed pursuant to this section must:

(a) Be in addition to all other taxes imposed on the revenue from the rental of transient lodging in Washoe County and the incorporated cities in Washoe County;

(b) Be collected and enforced in the same manner as provided for the collection of the tax imposed by NRS 244.3352;

(c) Be paid to the Reno/Sparks Convention and Visitors Authority, which shall distribute the proceeds from the tax in the manner set forth in section 2 of this act; and

(d) Not be collected after the date on which the notes, bonds and other obligations described in subsection 2 of section 2 of this act have been fully paid.

3. As used in this section, "gross receipts from the rental of transient lodging" does not include the tax imposed or collected from paying guests pursuant to this section.

Sec. 2. The proceeds of the tax imposed pursuant to section 1 of this act and any applicable penalty or interest must be distributed as follows:

1. An amount equal to:

(a) Two-thirds of the proceeds collected in:

(1) The incorporated area of Washoe County; and

(2) Each incorporated city in Washoe County, except in the district described in NRS 268.780 to 268.785, inclusive; and

(b) All of the proceeds collected in the district described in NRS 268.780 to 268.785, inclusive,

must be used by the Reno/Sparks Convention and Visitors Authority to support the expansion and remodeling of the Reno/Sparks Convention Center.

2. The additional sum of \$1,500,000 and, beginning June 1, 2000, and each year thereafter, an additional amount equal to \$1,500,000 multiplied by the percentage by which the proceeds of the tax imposed pursuant to section 1 of this act increased during the immediately preceding 12-month period, if any, must be used as follows:

(a) Two-thirds for the marketing and promotion of tourism as approved by the Reno/Sparks Convention and Visitors Authority; and

(b) One-third for the support of the National Bowling Stadium, until such time as the Truckee Meadows Tourism Facility and Revitalization Steering Committee identifies particular capital improvement projects pursuant to section 7 of this act. After the Truckee Meadows Tourism Facility and Revitalization Steering Committee identifies particular capital improvement projects pursuant to section 7 of this act, the

1 money described in this subsection must, notwithstanding the provisions of
2 NRS 279.619, be used to pay the principal and interest on notes, bonds or
3 other obligations issued by the Reno Redevelopment Agency to fund the
4 acquisition, establishment, construction or expansion of the projects so
5 identified.

6 3. The remainder of the proceeds of the tax, if any, after the amounts
7 described in subsections 1 and 2 are set aside for use pursuant to those
8 subsections, must be distributed in the following manner:

9 (a) Two-thirds to the Reno/Sparks Convention and Visitors Authority to
10 support the expansion and remodeling of Reno/Sparks Convention Center.

11 (b) One-third to be used as set forth in subsection 2.

12 **Sec. 3.** 1. Except as otherwise provided in subsection 2, the
13 Reno/Sparks Convention and Visitors Authority shall, until the date on
14 which the notes, bonds and other obligations described in subsection 2 of
15 section 2 of this act have been fully paid, grant 50 percent of the proceeds it
16 receives from a tax imposed on the revenue from the rental of transient
17 lodging which are collected in Incline Village and Crystal Bay to the Lake
18 Tahoe Incline Village and Crystal Bay Visitors Bureau to be used for:

19 (a) The operation and maintenance of facilities; and

20 (b) The marketing and promotion of tourism in Incline Village and
21 Crystal Bay.

22 2. The provisions of subsection 1 apply only to those proceeds from a
23 tax imposed previously on the revenue from the rental of transient lodging
24 which are available to the Reno/Sparks Convention and Visitors Authority
25 to carry out its operations, including, without limitation, advertising and the
26 promotion of tourism. The provisions of subsection 1 do not apply to those
27 proceeds from a tax imposed on the revenue from the rental of transient
28 lodging which the Reno/Sparks Convention and Visitors Authority is
29 required by law to:

30 (a) Pay over or otherwise distribute to, in whole or in part, to another
31 governmental entity; or

32 (b) Expend, pledge, use for or commit to a different purpose.

33 **Sec. 4.** 1. The City Council of the City of Sparks may by ordinance
34 impose a tax at the rate of not more than 1 percent of the gross receipts
35 from the rental of transient lodging in the City of Sparks.

36 2. A tax imposed pursuant to this section must be collected and
37 enforced in the same manner as provided for the collection of the tax
38 imposed by NRS 268.096.

39 3. A tax imposed pursuant to this section may be imposed in addition
40 to all other taxes imposed on the revenue from the rental of transient
41 lodging.

1 4. The proceeds of a tax imposed pursuant to this section and any
2 applicable penalty or interest must be retained by the City of Sparks and
3 used for the marketing and promotion of tourism in the City of Sparks in
4 the manner determined by the Sparks Tourism and Marketing Committee.

5 5. As used in this section, "gross receipts from the rental of transient
6 lodging" does not include the tax imposed or collected from paying guests
7 pursuant to this section.

8 **Sec. 5.** 1. If the City Council of the City of Sparks imposes a tax
9 pursuant to section 4 of this act, the City Council shall create the Sparks
10 Tourism and Marketing Committee, consisting of three members, to
11 determine the manner in which the proceeds from the tax must be used. The
12 membership of the Committee consists of:

13 (a) Two members of the City Council of the City of Sparks, appointed
14 by the City Council of the City of Sparks.

15 (b) One member who is a member of the Nevada Resort Association
16 who represents a property in the City of Sparks, appointed by the City
17 Council of the City of Sparks from a list submitted by the Nevada Resort
18 Association.

19 2. The Committee shall elect a chairman from among its members.

20 3. A vacancy on the Committee must be filled in the same manner as
21 the original appointment.

22 4. The Committee shall meet at least quarterly or by a call of the
23 chairman or a majority of the members of the Committee.

24 5. Members of the Committee serve without compensation, except that
25 while engaged in the business of the Committee, each member may be paid
26 the per diem allowance and travel expenses provided for state officers and
27 employees generally, as the budget of the Committee allows.

28 **Sec. 6.** 1. The Truckee Meadows Tourism Facility and
29 Revitalization Steering Committee, consisting of nine members, is hereby
30 created. The membership of the Committee consists of:

31 (a) Three persons appointed by the Board of Directors of the
32 Reno/Sparks Convention and Visitors Authority, one of whom must be a
33 member of the Nevada Resort Association who represents properties
34 outside the district described in NRS 268.780 to 268.785, inclusive, and
35 two of whom must represent the interests of Sparks, Washoe County, the
36 motel industry or general business.

37 (b) Three members of the Reno Redevelopment Agency, appointed by
38 the Chairman of the Agency.

39 (c) Three persons appointed by the Nevada Resort Association from
40 those members of the Association whose properties are located in the
41 district described in NRS 268.780 to 268.785, inclusive.

42 2. The Committee shall elect a chairman from among its members.

1 3. A vacancy on the Committee must be filled in the same manner as
2 the original appointment.

3 4. The Committee shall meet at least quarterly or by a call of the
4 chairman or majority of the members of the Committee.

5 5. Members of the Committee serve without compensation, except that
6 while engaged in the business of the Committee, each member may be paid
7 the per diem allowance and travel expenses provided for state officers and
8 employees generally, as the budget of the Reno Redevelopment Agency
9 allows.

10 **Sec. 7.** 1. The Truckee Meadows Tourism Facility and
11 Revitalization Steering Committee shall develop a master plan which
12 identifies:

13 (a) Proposed capital improvement projects that the Committee
14 determines to be advisable to promote tourism in Washoe County; and

15 (b) The method or methods pursuant to which the proposed capital
16 improvement projects identified in paragraph (a) will be financed.

17 2. Capital improvement projects identified pursuant to this section
18 must be:

19 (a) Approved by a two-thirds vote of the members of the Committee;
20 and

21 (b) Located in the district described in NRS 268.780 to 268.785,
22 inclusive.

23 **Sec. 8.** NRS 244A.601 is hereby amended to read as follows:

24 244A.601 1. In any county whose population is 100,000 or more, and
25 less than 400,000, the county fair and recreation board consists of 12
26 members who are appointed as follows:

27 (a) Two members by the board of county commissioners.

28 (b) Two members by the governing body of the largest incorporated city
29 in the county.

30 (c) One member by the governing body of the next largest incorporated
31 city in the county.

32 (d) Except as otherwise provided in subsection 2, seven members by the
33 members appointed pursuant to paragraphs (a), (b) and (c). The members
34 entitled to vote shall select:

35 (1) One member who is a representative of air service interests from a
36 list of nominees submitted by the Airport Authority of Washoe County. The
37 nominees must not be elected officers.

38 (2) One member who is a representative of motel operators from a list
39 of nominees submitted by one or more associations that represent the motel
40 industry.

41 (3) One member who is a representative of banking or other financial
42 interests from a list of nominees submitted by the chamber of commerce of
43 the largest incorporated city in the county.

1 (4) One member who is a representative of other business or
2 commercial interests from a list of nominees submitted by the chamber of
3 commerce of the largest incorporated city in the county.

4 (5) Three members who are representatives of the association of
5 gaming establishments whose membership collectively paid the most gross
6 revenue fees to the state pursuant to NRS 463.370 in the county in the
7 preceding year, from a list of nominees submitted by the association. If
8 there is no such association, the three appointed members must be
9 representative of gaming.

10 If the members entitled to vote find the nominees on a list of nominees
11 submitted pursuant to this paragraph unacceptable, they shall request a new
12 list of nominees.

13 2. The terms of members appointed pursuant to paragraphs (a), (b) and
14 (c) of subsection 1 are coterminous with their terms of office. The members
15 appointed pursuant to paragraph (d) of subsection 1 must be appointed for
16 2-year terms. Any vacancy occurring on the board must be filled by the
17 authority entitled to appoint the member whose position is vacant. Each
18 member appointed pursuant to paragraph (d) of subsection 1 may succeed
19 himself only once.

20 3. If a member ceases to be engaged in the business or occupation
21 which he was appointed to represent, he ceases to be a member, and
22 another person engaged in that business or occupation must be appointed
23 for the unexpired term.

24 4. Any member appointed by the board of county commissioners or a
25 governing body of a city must be a member of the appointing board or
26 body.

27 *5. If the duties of an officer or employee of the county fair and*
28 *recreation board require the officer or employee to travel by air, the*
29 *board:*

30 *(a) Shall pay only the cost required for the officer or employee to*
31 *travel to and from the required destination on the regularly scheduled*
32 *commercial air carrier having the lowest cost, in the class of service*
33 *having the lowest cost.*

34 *(b) Shall not pay for the travel of a relative or spouse of the officer or*
35 *employee or any other person who is not an officer or employee traveling*
36 *as part of the duties of his position.*

37 **Sec. 9.** This act becomes effective upon passage and approval for the
38 purpose of authorizing any actions that are necessary to prepare for the
39 collection of the taxes imposed and authorized by this act, including,
40 without limitation, the adoption of the ordinance authorized by section 4 of
41 this act, and on June 1, 1999, for all other purposes.

1 **Sec. 10.** If any provision of this act, or the application thereof to any
2 person, thing or circumstance is held invalid, such invalidity shall not affect
3 the provisions or applications of this act which can be given effect without
4 the invalid provision or application, and to this end the provisions of this
5 act are hereby declared to be severable.

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