

ASSEMBLY BILL NO. 655—COMMITTEE ON TAXATION

MARCH 26, 2001

Referred to Committee on Taxation

SUMMARY—Exempts certain establishments from taxes on rental of transient lodging.
(BDR 20-1302)

FISCAL NOTE: Effect on Local Government: Yes.
Effect on the State: 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; providing that the ordinance required to be adopted by the board of county commissioners of each county and the governing body of each city to define the term “transient lodging” for the purposes of all taxes imposed by the board or governing body on the rental of transient lodging must exclude certain establishments which primarily rent to long-term guests; and providing other matters properly relating thereto.

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

- 1 **Section 1.** NRS 244.33565 is hereby amended to read as follows:
2 244.33565 1. Each board of county commissioners shall adopt an
3 ordinance that defines the term “transient lodging” for the purposes of all
4 taxes imposed by the board on the rental of transient lodging. The
5 ordinance must specify the types of lodging to which the taxes apply.
6 2. ~~The~~ *Except as otherwise provided in subsection 3, the* definition
7 adopted by the board may include rooms or spaces in any one or more of
8 the following:
9 (a) Hotels;
10 (b) Motels;
11 (c) Apartments;
12 (d) Time-share projects, except when an owner of a unit in the time-
13 share project who has a right to use or occupy the unit is occupying the unit
14 pursuant to a time-share instrument as defined in NRS 119A.150;
15 (e) Apartment hotels;
16 (f) Vacation trailer parks;
17 (g) Campgrounds;
18 (h) Parks for recreational vehicles; and
19 (i) Any other establishment that rents rooms or spaces to temporary or
20 transient guests.



1 3. *The definition adopted by the board must not include rooms or*
2 *spaces in a residence hotel.*

3 4. The board may provide one or more different definitions pursuant to
4 subsection 1 for different jurisdictions within the county in which the taxes
5 are collected. Unless the governing body of the governmental entity that
6 collects the taxes consents by majority vote to a change, each definition
7 must be consistent with the past practices of the specific jurisdiction in
8 which the taxes are collected.

9 5. *As used in this section, "residence hotel" means an establishment*
10 *that rents rooms or spaces to guests and at which:*

11 (a) *At least 90 percent of the rooms or spaces of the establishment are*
12 *rented to guests only for a period of 7 consecutive days or more; and*

13 (b) *The average annual overall period of occupancy for all guests of*
14 *the establishment, as determined by the records and rental agreements of*
15 *the establishment, exceeds 45 days.*

16 **Sec. 2.** NRS 268.0195 is hereby amended to read as follows:

17 268.0195 1. The governing body of each city shall adopt an
18 ordinance that defines the term "transient lodging" for the purposes of all
19 taxes imposed by the governing body on the rental of transient lodging.
20 The ordinance must specify the types of lodging to which the taxes apply.

21 2. ~~The~~ *Except as otherwise provided in subsection 3, the* definition
22 adopted by the governing body may include rooms or spaces in any one or
23 more of the following:

- 24 (a) Hotels;
25 (b) Motels;
26 (c) Apartments;
27 (d) Time-share projects, except when an owner of a unit in the time-
28 share project who has a right to use or occupy the unit is occupying the unit
29 pursuant to a time-share instrument as defined in NRS 119A.150;
30 (e) Apartment hotels;
31 (f) Vacation trailer parks;
32 (g) Campgrounds;
33 (h) Parks for recreational vehicles; and
34 (i) Any other establishment that rents rooms or spaces to temporary or
35 transient guests.

36 3. *The definition adopted by the governing body must not include*
37 *rooms or spaces in a residence hotel.*

38 4. *As used in this section, "residence hotel" means an establishment*
39 *that rents rooms or spaces to guests and at which:*

40 (a) *At least 90 percent of the rooms or spaces of the establishment are*
41 *rented to guests only for a period of 7 consecutive days or more; and*

42 (b) *The average annual overall period of occupancy for all guests of*
43 *the establishment, as determined by the records and rental agreements of*
44 *the establishment, exceeds 45 days.*

45 **Sec. 3.** This act becomes effective on July 1, 2001.

