

Amendment No. 992

Senate Amendment to Senate Bill No. 392 Second Reprint

(BDR 32-683)

Proposed by: Senators Care and Amodei**Amendment Box:****Resolves Conflicts with:** N/A**Amends:** Summary: No Title: Yes Preamble: No Joint Sponsorship: No Digest: No

Adoption of this amendment will MAINTAIN a 2/3s majority vote requirement for final passage of S.B. 392 R2 (§ 6).

ASSEMBLY ACTION	Initial and Date	SENATE ACTION	Initial and Date
Adopted <input type="checkbox"/> Lost <input type="checkbox"/>	_____	Adopted <input type="checkbox"/> Lost <input type="checkbox"/>	_____
Concurred In <input type="checkbox"/> Not <input type="checkbox"/>	_____	Concurred In <input type="checkbox"/> Not <input type="checkbox"/>	_____
Receded <input type="checkbox"/> Not <input type="checkbox"/>	_____	Receded <input type="checkbox"/> Not <input type="checkbox"/>	_____

Amend the bill as a whole by adding a new section designated sec. 24.5, following sec. 24, to read as follows:

“Sec. 24.5. NRS 363A.120 is hereby amended to read as follows:

NEW
SECOND
PARALLEL
SECTION
(Proof against
§ 24)

363A.120 1. There is hereby imposed an excise tax on each bank at the rate of \$1,750 for each branch office ***maintained by the bank in this State*** in excess of one ***branch office*** maintained by the bank ***in each county*** in this State on the first day of each calendar quarter.

2. Each bank that maintains more than one branch office ***in any county*** in this State on the first day of a calendar quarter shall, on or before the last day of the first month of that calendar quarter:

(a) File with the Department a return on a form prescribed by the Department; and

SJC/BJE

Date: 5/25/2005

S.B. No. 392—Makes various changes to state financial administration.



(b) Remit to the Department any tax due pursuant to this section for the branch offices maintained by the bank in this State on the first day of that calendar quarter.

3. For the purposes of this section:

(a) “Bank” means:

(1) A corporation or limited-liability company that is chartered by this State, another state or the United States which conducts banking or banking and trust business; or

(2) A foreign bank licensed pursuant to chapter 666A of NRS.

↪ The term does not include a financial institution engaging in business pursuant to chapter 677 of NRS, a credit union organized under the provisions of chapter 678 of NRS or the Federal Credit Union Act, or any person or other entity this State is prohibited from taxing under the Constitution, laws or treaties of the United States or the Nevada Constitution.

(b) “Branch office” means any location or facility of a bank where deposit accounts are opened, deposits are accepted, checks are paid and loans are granted, including, but not limited to, a brick and mortar location, a detached or attached drive-in facility, a seasonal office, an office on a military base or government installation, a station or unit for paying and receiving, and a location where a customer can open accounts, make deposits and borrow money by telephone or through use of the Internet, and excluding any automated teller machines, consumer credit offices, contractual offices, customer bank communication terminals, electronic fund transfer units and loan production offices.”.

Amend the bill as a whole by renumbering sections 49 and 50 as sections 50 and 51 and adding a new section designated sec. 49, following sec. 48, to read as follows:

“**Sec. 49.** 1. An employer may deduct from the total amount of wages reported and upon which the excise tax is imposed pursuant to NRS 363A.130 for the Fiscal Year 2007-2008 and the

Fiscal Year 2008-2009, in addition to any amount the employer is entitled to deduct pursuant to section 20 of this act, an amount which is equal to any amount the employer is entitled to deduct pursuant to section 20 of this act.

2. An employer may deduct from the total amount of wages reported and upon which the excise tax is imposed pursuant to NRS 363B.110 for the Fiscal Year 2007-2008 and the Fiscal Year 2008-2009, in addition to any amount the employer is entitled to deduct pursuant to section 28 of this act, an amount which is equal to any amount the employer is entitled to deduct pursuant to section 28 of this act.

3. For the purposes of:

(a) Subsection 1, “employer” has the meaning ascribed to it in NRS 363A.030, as amended by this act.

(b) Subsection 2, “employer” has the meaning ascribed to it in NRS 363B.030, as amended by this act.”.

Amend sec. 50, page 30, by deleting line 40 and inserting:

“**Sec. 51.** 1. This section and sections 1 to 24, inclusive, and 25 to 50, inclusive, of this act become effective on July 1, 2005.

2. Section 24.5 of this act becomes effective on July 1, 2007.”.

Amend the title of the bill, fourth line, after “entertainment;” by inserting:

“providing for a temporary increase in the amount of certain deductions regarding certain taxes on businesses;”.