

SENATE BILL NO. 493—COMMITTEE ON LEGISLATIVE
OPERATIONS AND ELECTIONS

(ON BEHALF OF THE LIEUTENANT GOVERNOR)

MARCH 29, 2005

Referred to Committee on Government Affairs

SUMMARY—Provides certain tax incentives for registered motion picture companies. (BDR 18-354)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.
Effect on the State: Yes.

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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 economic development; providing that taxes on gross receipts from the rental of transient lodging do not apply to a motion picture company; providing that certain fees relating to the operation of motor vehicles do not apply to a motion picture company; clarifying that certain sales to a motion picture company are not taxable transactions; 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 231.128 is hereby amended to read as follows:
2 231.128 1. Before a motion picture company begins
3 production of a motion picture in this State, the motion picture
4 company must:
5 (a) Register with the Division of Motion Pictures; and
6 (b) Obtain any applicable permits otherwise required by other
7 agencies and political subdivisions of this State.
8 2. The registration filed with the Division of Motion Pictures
9 must:
10 (a) Contain a provision which provides that the motion picture
11 company agrees to pay, within 30 days after the filming of the



1 motion picture is completed in this State, all of the debts and
2 obligations incurred by the motion picture company in the
3 production of the motion picture in this State.

4 (b) Be signed by:

5 (1) A person who is authorized to enter into an agreement on
6 behalf of the motion picture company; and

7 (2) The Administrator of the Division of Motion Pictures or,
8 in a county whose population is 400,000 or more, by the head of the
9 department or agency within that county which is authorized to
10 issue business licenses on behalf of the county.

11 *3. After the registration is filed with the Division of Motion*
12 *Pictures pursuant to subsection 2, the Division shall issue a letter*
13 *of registration to the motion picture company.*

14 **Sec. 2.** NRS 244.335 is hereby amended to read as follows:

15 244.335 1. Except as otherwise provided in subsection 2,
16 ~~the~~ a board of county commissioners may:

17 (a) Except as otherwise provided in NRS 598D.150, regulate all
18 character of lawful trades, callings, industries, occupations,
19 professions and business conducted in its county outside of the
20 limits of incorporated cities and towns.

21 (b) Except as otherwise provided in NRS 244.3359 and 576.128,
22 fix, impose and collect a license tax for revenue or for regulation, or
23 for both revenue and regulation, on such trades, callings, industries,
24 occupations, professions and business.

25 2. The county license boards have the exclusive power in their
26 respective counties to regulate entertainers employed by an
27 entertainment by referral service and the business of conducting a
28 dancing hall, escort service, entertainment by referral service or
29 gambling game or device permitted by law, outside of an
30 incorporated city. The county license boards may fix, impose and
31 collect license taxes for revenue or for regulation, or for both
32 revenue and regulation, on such employment and businesses.

33 3. No license to engage in any type of business may be granted
34 unless the applicant for the license signs an affidavit affirming that
35 the business has complied with the provisions of NRS 360.780. The
36 county license board shall provide upon request an application for a
37 business license pursuant to NRS 360.780.

38 4. No license to engage in business as a seller of tangible
39 personal property may be granted unless the applicant for the license
40 presents written evidence that:

41 (a) The Department of Taxation has issued or will issue a permit
42 for this activity, and this evidence clearly identifies the business by
43 name; or

44 (b) Another regulatory agency of the State has issued or will
45 issue a license required for this activity.



1 5. Any license tax levied for the purposes of NRS 244.3358 or
2 244A.597 to 244A.655, inclusive, constitutes a lien upon the real
3 and personal property of the business upon which the tax was levied
4 until the tax is paid. The lien has the same priority as a lien for
5 general taxes. The lien must be enforced in the following manner:

6 (a) By recording in the office of the county recorder, within
7 6 months after the date on which the tax became delinquent or was
8 otherwise determined to be due and owing, a notice of the tax lien
9 containing the following:

- 10 (1) The amount of tax due and the appropriate year;
11 (2) The name of the record owner of the property;
12 (3) A description of the property sufficient for identification;

13 and

14 (4) A verification by the oath of any member of the board of
15 county commissioners or the county fair and recreation board; and

16 (b) By an action for foreclosure against the property in the same
17 manner as an action for foreclosure of any other lien, commenced
18 within 2 years after the date of recording of the notice of the tax
19 lien, and accompanied by appropriate notice to other lienholders.

20 6. The board of county commissioners may delegate the
21 authority to enforce liens from taxes levied for the purposes of NRS
22 244A.597 to 244A.655, inclusive, to the county fair and recreation
23 board. If the authority is so delegated, the board of county
24 commissioners shall revoke or suspend the license of a business
25 upon certification by the county fair and recreation board that the
26 license tax has become delinquent, and shall not reinstate the license
27 until the tax is paid. Except as otherwise provided in NRS 244.3357,
28 all information concerning license taxes levied by an ordinance
29 authorized by this section or other information concerning the
30 business affairs or operation of any licensee obtained as a result of
31 the payment of such license taxes or as the result of any audit or
32 examination of the books by any authorized employee of a county
33 fair and recreation board of the county for any license tax levied for
34 the purpose of NRS 244A.597 to 244A.655, inclusive, is
35 confidential and must not be disclosed by any member, officer or
36 employee of the county fair and recreation board or the county
37 imposing the license tax unless the disclosure is authorized by the
38 affirmative action of a majority of the members of the appropriate
39 county fair and recreation board. Continuing disclosure may be so
40 authorized under an agreement with the Department of Taxation for
41 the exchange of information concerning taxpayers.

42 7. *If the board of county commissioners adopts an ordinance*
43 *to tax the gross receipts from the rental of transient lodging*
44 *pursuant to the provisions of this section, the gross receipts from*
45 *the rental of transient lodging to a motion picture company that is*



1 *registered pursuant to NRS 231.128 and engaged in the making of*
2 *a motion picture is exempt from the tax. If a motion picture*
3 *company or a person affiliated with the motion picture company*
4 *wishes to claim the exemption from the tax, the motion picture*
5 *company or person claiming the exemption must give a copy of the*
6 *letter of registration of the motion picture company to the business*
7 *providing the lodging.*

8 **Sec. 3.** NRS 244.3351 is hereby amended to read as follows:

9 244.3351 1. Except as otherwise provided in subsection 2 of
10 NRS 244.3359, in addition to all other taxes imposed on the revenue
11 from the rental of transient lodging, a board of county
12 commissioners may by ordinance, but not as in a case of emergency,
13 impose a tax at the rate of 1 percent of the gross receipts from the
14 rental of transient lodging pursuant to either paragraph (a) or (b) as
15 follows:

16 (a) After receiving the approval of a majority of the registered
17 voters of the county voting on the question at a special, primary or
18 general election, the board of county commissioners may impose the
19 tax throughout the county, including its incorporated cities, upon all
20 persons in the business of providing lodging. The question may be
21 combined with a question submitted pursuant to NRS 278.710,
22 371.045 or 377A.020, or any combination thereof.

23 (b) After receiving the approval of a majority of the registered
24 voters who reside within the boundaries of a transportation district
25 created pursuant to NRS 244A.252, voting on the question at a
26 special, primary or general district election, the board of county
27 commissioners may impose the tax within the boundaries of the
28 transportation district upon all persons in the business of providing
29 lodging. The question may be combined with a question submitted
30 pursuant to NRS 278.710.

31 2. A special election may be held only if the board of county
32 commissioners determines, by a unanimous vote, that an emergency
33 exists. The determination made by the board of county
34 commissioners is conclusive unless it is shown that the board acted
35 with fraud or a gross abuse of discretion. An action to challenge the
36 determination made by the board must be commenced within
37 15 days after the board's determination is final. As used in this
38 subsection, "emergency" means any unexpected occurrence or
39 combination of occurrences which requires immediate action by the
40 board of county commissioners to prevent or mitigate a substantial
41 financial loss to the county or to enable the board to provide an
42 essential service to the residents of the county.

43 3. The ordinance imposing the tax must include all the matters
44 required by NRS 244.3352 for the mandatory tax, must be



administered in the same manner, and imposes the same liabilities, except:

(a) Collection of the tax imposed pursuant to this section must not commence earlier than the first day of the second calendar month after adoption of the ordinance imposing the tax; and

(b) The governmental entity collecting the tax shall transfer all collections to the county and may not retain any part of the tax as a collection or administrative fee.

4. The gross receipts from the rental of transient lodging to a motion picture company that is registered pursuant to NRS 231.128 and engaged in the making of a motion picture is exempt from the tax imposed by an ordinance adopted pursuant to this section. If a motion picture company or a person affiliated with the motion picture company wishes to claim the exemption from the tax, the motion picture company or person claiming the exemption must give a copy of the letter of registration of the motion picture company to the business providing the lodging.

Sec. 4. NRS 244.3352 is hereby amended to read as follows:

244.3352 1. The board of county commissioners:

(a) In a county whose population is 400,000 or more, shall impose a tax at a rate of 2 percent; and

(b) In a county whose population is less than 400,000, shall impose a tax at the rate of 1 percent,

↳ of the gross receipts from the rental of transient lodging in that county upon all persons in the business of providing lodging. This tax must be imposed by the board of county commissioners in each county, regardless of the existence or nonexistence of any other license fee or tax imposed on the revenues from the rental of transient lodging. The ordinance imposing the tax must include a schedule for the payment of the tax and the provisions of subsection 4.

2. The tax imposed pursuant to subsection 1 must be collected and administered pursuant to NRS 244.335.

3. The tax imposed pursuant to subsection 1 may be collected from the paying guests and may be shown as an addition to the charge for the rental of transient lodging. The person providing the transient lodging is liable to the county for the tax whether or not it is actually collected from the paying guest.

4. If the tax imposed pursuant to subsection 1 is not paid within the time set forth in the schedule for payment, the county shall charge and collect in addition to the tax:

(a) A penalty of not more than 10 percent of the amount due, exclusive of interest, or an administrative fee established by the board of county commissioners, whichever is greater; and



(b) Interest on the amount due at the rate of not more than 1.5 percent per month or fraction thereof from the date on which the tax became due until the date of payment.

5. *The gross receipts from the rental of transient lodging to a motion picture company that is registered pursuant to NRS 231.128 and engaged in the making of a motion picture is exempt from the tax imposed by an ordinance adopted pursuant to this section. If a motion picture company or a person affiliated with the motion picture company wishes to claim the exemption from the tax, the motion picture company or person claiming the exemption must give a copy of the letter of registration of the motion picture company to the business providing the lodging.*

6. As used in this section, "gross receipts from the rental of transient lodging" does not include the tax imposed and collected from paying guests pursuant to this section or NRS 268.096.

Sec. 5. NRS 268.095 is hereby amended to read as follows:

268.095 1. The city council or other governing body of each incorporated city in this State, whether organized under general law or special charter, may:

(a) Except as otherwise provided in NRS 268.0968 and 576.128, fix, impose and collect for revenues or for regulation, or both, a license tax on all character of lawful trades, callings, industries, occupations, professions and businesses conducted within its corporate limits.

(b) Assign the proceeds of any one or more of such license taxes to the county within which the city is situated for the purpose or purposes of making the proceeds available to the county:

(1) As a pledge as additional security for the payment of any general obligation bonds issued pursuant to NRS 244A.597 to 244A.655, inclusive;

(2) For redeeming any general obligation bonds issued pursuant to NRS 244A.597 to 244A.655, inclusive;

(3) For defraying the costs of collecting or otherwise administering any such license tax so assigned, of the county fair and recreation board and of officers, agents and employees hired thereby, and of incidentals incurred thereby;

(4) For operating and maintaining recreational facilities under the jurisdiction of the county fair and recreation board;

(5) For improving, extending and bettering recreational facilities authorized by NRS 244A.597 to 244A.655, inclusive; and

(6) For constructing, purchasing or otherwise acquiring such recreational facilities.

(c) Pledge the proceeds of any tax imposed on the revenues from the rental of transient lodging pursuant to this section for the



1 payment of any general or special obligations issued by the city for
2 a purpose authorized by the laws of this State.

3 (d) Use the proceeds of any tax imposed pursuant to this section
4 on the revenues from the rental of transient lodging:

5 (1) To pay the principal, interest or any other indebtedness
6 on any general or special obligations issued by the city pursuant to
7 the laws of this State;

8 (2) For the expense of operating or maintaining, or both, any
9 facilities of the city; and

10 (3) For any other purpose for which other money of the city
11 may be used.

12 2. The proceeds of any tax imposed pursuant to this section
13 that are pledged for the repayment of general obligations may be
14 treated as "pledged revenues" for the purposes of NRS 350.020.

15 3. No license to engage in any type of business may be granted
16 unless the applicant for the license signs an affidavit affirming that
17 the business has complied with the provisions of NRS 360.780. The
18 city licensing agency shall provide upon request an application for a
19 business license pursuant to NRS 360.780.

20 4. No license to engage in business as a seller of tangible
21 personal property may be granted unless the applicant for the license
22 presents written evidence that:

23 (a) The Department of Taxation has issued or will issue a permit
24 for this activity, and this evidence clearly identifies the business by
25 name; or

26 (b) Another regulatory agency of the State has issued or will
27 issue a license required for this activity.

28 5. Any license tax levied under the provisions of this section
29 constitutes a lien upon the real and personal property of the business
30 upon which the tax was levied until the tax is paid. The lien has the
31 same priority as a lien for general taxes. The lien must be enforced
32 in the following manner:

33 (a) By recording in the office of the county recorder, within
34 6 months following the date on which the tax became delinquent or
35 was otherwise determined to be due and owing, a notice of the tax
36 lien containing the following:

37 (1) The amount of tax due and the appropriate year;

38 (2) The name of the record owner of the property;

39 (3) A description of the property sufficient for identification;
40 and

41 (4) A verification by the oath of any member of the board of
42 county commissioners or the county fair and recreation board; and

43 (b) By an action for foreclosure against such property in the
44 same manner as an action for foreclosure of any other lien,
45 commenced within 2 years after the date of recording of the notice



1 of the tax lien, and accompanied by appropriate notice to other
2 lienholders.

3 6. The city council or other governing body of each
4 incorporated city may delegate the power and authority to enforce
5 such liens to the county fair and recreation board. If the authority is
6 so delegated, the governing body shall revoke or suspend the license
7 of a business upon certification by the board that the license tax has
8 become delinquent, and shall not reinstate the license until the tax is
9 paid. Except as otherwise provided in NRS 268.0966, all
10 information concerning license taxes levied by an ordinance
11 authorized by this section or other information concerning the
12 business affairs or operation of any licensee obtained as a result of
13 the payment of those license taxes or as the result of any audit or
14 examination of the books of the city by any authorized employee of
15 a county fair and recreation board for any license tax levied for the
16 purpose of NRS 244A.597 to 244A.655, inclusive, is confidential
17 and must not be disclosed by any member, official or employee of
18 the county fair and recreation board or the city imposing the license
19 tax unless the disclosure is authorized by the affirmative action of a
20 majority of the members of the appropriate county fair and
21 recreation board. Continuing disclosure may be so authorized under
22 an agreement with the Department of Taxation for the exchange of
23 information concerning taxpayers.

24 7. The powers conferred by this section are in addition and
25 supplemental to, and not in substitution for, and the limitations
26 imposed by this section do not affect the powers conferred by, any
27 other law. No part of this section repeals or affects any other law or
28 any part thereof, it being intended that this section provide a
29 separate method of accomplishing its objectives, and not an
30 exclusive one.

31 *8. If a city council or other governing body adopts an*
32 *ordinance to tax the gross receipts from the rental of transient*
33 *lodging pursuant to the provisions of this section, the gross*
34 *receipts from the rental of transient lodging to a motion picture*
35 *company that is registered pursuant to NRS 231.128 and engaged*
36 *in the making of a motion picture is exempt from the tax. If a*
37 *motion picture company or a person affiliated with the motion*
38 *picture company wishes to claim the exemption from the tax, the*
39 *motion picture company or person claiming the exemption must*
40 *give a copy of the letter of registration of the motion picture*
41 *company to the business providing the lodging.*

42 **Sec. 6.** NRS 268.096 is hereby amended to read as follows:

43 268.096 1. The city council or other governing body of each
44 incorporated city:



1 (a) In a county whose population is 400,000 or more, shall
2 impose a tax at a rate of 2 percent; and

3 (b) In a county whose population is less than 400,000, shall
4 impose a tax at the rate of 1 percent,

5 ➡ of the gross receipts from the rental of transient lodging in that
6 city upon all persons in the business of providing lodging. This tax
7 must be imposed by the city council or other governing body of
8 each incorporated city, regardless of the existence or nonexistence
9 of any other license fee or tax imposed on the revenues from the
10 rental of transient lodging. The ordinance imposing the tax must
11 include a schedule for the payment of the tax and the provisions of
12 subsection 4.

13 2. The tax imposed pursuant to subsection 1 must be collected
14 and administered pursuant to NRS 268.095.

15 3. The tax imposed pursuant to subsection 1 may be collected
16 from the paying guests and may be shown as an addition to the
17 charge for the rental of transient lodging. The person providing the
18 transient lodging is liable to the city for the tax whether or not it is
19 actually collected from the paying guest.

20 4. If the tax imposed pursuant to subsection 1 is not paid within
21 the time set forth in the schedule for payment, the city shall charge
22 and collect in addition to the tax:

23 (a) A penalty of not more than 10 percent of the amount due,
24 exclusive of interest, or an administrative fee established by the
25 governing body, whichever is greater; and

26 (b) Interest on the amount due at the rate of not more than
27 1.5 percent per month or fraction thereof from the date on which the
28 tax became due until the date of payment.

29 5. *The gross receipts from the rental of transient lodging to a*
30 *motion picture company that is registered pursuant to NRS*
31 *231.128 and engaged in the making of a motion picture is exempt*
32 *from the tax imposed by an ordinance adopted pursuant to this*
33 *section. If a motion picture company or a person affiliated with*
34 *the motion picture company wishes to claim the exemption from*
35 *the tax, the motion picture company or person claiming the*
36 *exemption must give a copy of the letter of registration of the*
37 *motion picture company to the business providing the lodging.*

38 6. As used in this section, "gross receipts from the rental of
39 transient lodging" does not include the tax imposed or collected
40 from paying guests pursuant to this section or NRS 244.3352.

41 **Sec. 7.** NRS 268.7845 is hereby amended to read as follows:

42 268.7845 1. In a county whose population is 100,000 or more
43 but less than 400,000, the governing body of an incorporated city
44 within the county that has created a district pursuant to NRS
45 268.781 may by ordinance impose within that district a tax at the



1 rate of not more than 1 percent of the gross receipts from the rental
2 of transient lodging throughout the district.

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

6 3. Collection of the tax imposed pursuant to this section must
7 not commence earlier than the first day of the second calendar
8 month after adoption of the ordinance imposing the tax.

9 4. The proceeds of the tax and any applicable penalty or
10 interest must be used to fund the acquisition, establishment,
11 construction or expansion of one or more railroad grade separation
12 projects, including the payment and prepayment of principal and
13 interest on notes, bonds or other obligations issued to fund such
14 projects.

15 5. A tax imposed by this section must be collected and
16 enforced in the same manner as provided for the collection of the
17 tax imposed by NRS 268.096.

18 *6. The gross receipts from the rental of transient lodging to a*
19 *motion picture company that is registered pursuant to NRS*
20 *231.128 and engaged in the making of a motion picture is exempt*
21 *from the tax imposed by an ordinance adopted pursuant to this*
22 *section. If a motion picture company or a person affiliated with*
23 *the motion picture company wishes to claim the exemption from*
24 *the tax, the motion picture company or person claiming the*
25 *exemption must give a copy of the letter of registration of the*
26 *motion picture company to the business providing the lodging.*

27 **Sec. 8.** NRS 268.804 is hereby amended to read as follows:

28 268.804 1. In addition to all other taxes imposed on the
29 revenues from the rental of transient lodging, the governing body
30 may by ordinance impose a tax upon all persons in the business of
31 providing transient lodging within the boundaries of the district at a
32 rate not to exceed 2 percent of the gross receipts from the rental of
33 transient lodging.

34 2. The collection of the tax imposed pursuant to this section
35 must not commence earlier than the first day of the second calendar
36 month after adoption of the ordinance imposing the tax.

37 3. The tax may be waived or imposed at different rates in
38 certain areas or for a particular business if:

39 (a) The governing body determines that certain areas will
40 receive less benefits from the project constructed with the proceeds
41 of the tax or any obligations payable therefrom.

42 (b) The governing body determines that a business does not
43 have sufficient rooms dedicated to providing transient lodging for it
44 to benefit equally from the project constructed with the proceeds of
45 the tax or any obligations payable therefrom.



1 4. The determinations made by the governing body pursuant to
2 subsection 3 are conclusive unless it is shown that it acted with
3 fraud or a gross abuse of discretion.

4 5. A tax imposed pursuant to this section must be collected and
5 enforced in the same manner as provided for the collection of the
6 tax imposed by NRS 268.096.

7 6. The collection of the tax imposed pursuant to this section
8 must cease upon the final payment of:

9 (a) The bonds initially issued to which the tax imposed pursuant
10 to this section is pledged; or

11 (b) Any bonds refunding those initially issued bonds, but any
12 such refunding bonds may not have a final payment date that is later
13 than the final payment date of the bonds initially issued.

14 7. *The gross receipts from the rental of transient lodging to a*
15 *motion picture company that is registered pursuant to NRS*
16 *231.128 and engaged in the making of a motion picture is exempt*
17 *from the tax imposed by an ordinance adopted pursuant to this*
18 *section. If a motion picture company or a person affiliated with*
19 *the motion picture company wishes to claim the exemption from*
20 *the tax, the motion picture company or person claiming the*
21 *exemption must give a copy of the letter of registration of the*
22 *motion picture company to the business providing the lodging.*

23 **Sec. 9.** NRS 366.220 is hereby amended to read as follows:

24 366.220 1. Except as otherwise provided in this chapter, it is
25 unlawful for any:

26 (a) Special fuel supplier, special fuel dealer or special fuel user
27 to sell or use special fuel within this State unless the special fuel
28 supplier, special fuel dealer or special fuel user is the holder of a
29 special fuel supplier's, special fuel dealer's or special fuel user's
30 license issued to him by the Department.

31 (b) Person to be a:

32 (1) Special fuel exporter unless the person is the holder of a
33 special fuel exporter's license issued to him by the Department.

34 (2) Special fuel transporter unless the person is the holder of
35 a special fuel transporter's license issued to him by the Department.

36 2. ~~[The]~~ *Except as otherwise provided in subsection 3, the*
37 Department may adopt regulations relating to the issuance of any
38 special fuel supplier's, special fuel dealer's, special fuel exporter's,
39 special fuel transporter's or special fuel user's license and the
40 collection of fees therefor.

41 3. *A motion picture company that is registered pursuant to*
42 *NRS 231.128 and engaged in the making of a motion picture is*
43 *exempt from the imposition of any fees for a special fuel user's*
44 *license. If the motion picture company or a person affiliated with*
45 *the motion picture company wishes to claim the exemption from*



1 *the fee, the motion picture company or person claiming the*
2 *exemption must give a copy of the letter of registration of*
3 *the motion picture company to the Department when applying for*
4 *the special fuel user's license.*

5 **Sec. 10.** NRS 366.223 is hereby amended to read as follows:

6 366.223 1. A special fuel user may, in lieu of causing a motor
7 vehicle that has a declared gross weight in excess of 26,000 pounds
8 to be licensed pursuant to the provisions of NRS 366.220, obtain a
9 temporary permit for special fuel from a vendor authorized to issue
10 permits pursuant to NRS 481.051 before entering the State or
11 immediately upon entering the State. ~~[The]~~ *Except as otherwise*
12 *provided in subsection 2, the fee for a temporary permit for special*
13 *fuel is \$30 and is not refundable.*

14 2. *A motion picture company that is registered pursuant to*
15 *NRS 231.128 and engaged in the making of a motion picture is*
16 *exempt from the imposition of the \$30 fee imposed pursuant to*
17 *subsection 1 for any motor vehicle used in the making of the*
18 *motion picture. If the motion picture company or a person*
19 *affiliated with the motion picture company wishes to claim the*
20 *exemption from the fee, the motion picture company or person*
21 *claiming the exemption must give a copy of the letter of*
22 *registration of the motion picture company to the vendor issuing*
23 *the temporary permit for special fuel.*

24 3. Except as otherwise provided in subsection ~~[3.]~~ 4, a
25 temporary permit for special fuel authorizes the operation of such a
26 motor vehicle over the highways of this State from point of entry to
27 point of exit for not more than 24 consecutive hours.

28 ~~[3.]~~ 4. The Department may issue to the owner or operator of a
29 common motor carrier of passengers a temporary permit for special
30 fuel that authorizes the operation of the motor carrier for not more
31 than 120 consecutive hours.

32 ~~[4.]~~ 5. The Department may adopt regulations relating to the
33 issuance of a temporary permit for special fuel pursuant to this
34 section.

35 **Sec. 11.** Chapter 372 of NRS is hereby amended by adding
36 thereto a new section to read as follows:

37 1. *In administering the provisions of this chapter, the*
38 *Department shall not consider the sale, storage, use or other*
39 *consumption of tangible personal property by a motion picture*
40 *company that is registered pursuant to NRS 231.128 and engaged*
41 *in the making of a motion picture to be a transaction that is*
42 *taxable pursuant to the provisions of this chapter.*

43 2. *A motion picture company or person affiliated with the*
44 *motion picture company may give a copy of the letter of*



1 *registration of the motion picture company to the person providing*
2 *the tangible personal property.*

3 **Sec. 12.** Chapter 374 of NRS is hereby amended by adding
4 thereto a new section to read as follows:

5 *1. In administering the provisions of this chapter, the*
6 *Department shall not consider the sale, storage, use or other*
7 *consumption of tangible personal property by a motion picture*
8 *company that is registered pursuant to NRS 231.128 and engaged*
9 *in the making of a motion picture to be a transaction that is*
10 *taxable pursuant to the provisions of this chapter.*

11 *2. A motion picture company or person affiliated with the*
12 *motion picture company may give a copy of the letter of*
13 *registration of the motion picture company to the person providing*
14 *the tangible personal property.*

15 **Sec. 13.** NRS 484.743 is hereby amended to read as follows:

16 484.743 1. The Board of Directors of the Department of
17 Transportation may by resolution authorize the movement of
18 vehicles upon the public highways, including without limitation
19 motor vehicles, tractors, trailers, semitrailers and combinations
20 thereof, of a size and weight in excess of the limits prescribed by
21 this chapter, to such extent as may be authorized by any legislation
22 enacted by the Congress of the United States permitting such
23 increases without forfeiture of this State's eligibility for federal aid
24 in highway construction and maintenance.

25 *2. ~~[The]~~ Except as otherwise provided in subsection 3, the*
26 *Board of Directors of the Department of Transportation may by*
27 *resolution establish a reasonable fee or fees to be charged by the*
28 *Department for the issuance of permits authorizing the operation of*
29 *oversize or overweight vehicles as provided in this chapter. The fee*
30 *or fees so established must be in an amount set so that the aggregate*
31 *amounts received from the fee or fees do not exceed the estimated*
32 *costs of administering the permit system.*

33 *3. A motion picture company that is registered pursuant to*
34 *NRS 231.128 and engaged in the making of a motion picture is*
35 *exempt from the imposition of any fees for the issuance of a*
36 *permit authorizing the operation of an oversize or overweight*
37 *vehicle used in the making of the motion picture. If the motion*
38 *picture company or a person affiliated with the motion picture*
39 *company wishes to claim the exemption from the fee, the motion*
40 *picture company or person claiming the exemption must give a*
41 *copy of the letter of registration of the motion picture company to*
42 *the Department when applying for the permit.*

43 **Sec. 14.** NRS 484.765 is hereby amended to read as follows:

44 484.765 1. No vehicle operated or moved upon any public
45 highway under the authority of a continuous or multiple trip-limited



1 time permit may exceed a maximum weight of 20,000 pounds on
2 any single axle. ~~[Before]~~ *Except as otherwise provided in*
3 *subsection 3, before* any continuous permit is issued, the applicant
4 shall pay a reasonable fee to be determined by the Department of
5 Transportation or the governing body of any city or county to pay
6 the costs and expenses of conducting an initial investigation of the
7 highway or highways involved.

8 2. If, after issuance of a continuous or multiple trip-limited
9 time permit by the Department of Transportation or the governing
10 body of any city or county, the Department or governing body finds
11 that the traffic authorized by such continuous or multiple trip-
12 limited time permit has caused substantial highway distress, the
13 permit may be revoked summarily, but the revocation does not
14 operate to prevent a subsequent filing of a new application for
15 another continuous or multiple trip-limited time permit.

16 3. *A motion picture company that is registered pursuant to*
17 *NRS 231.128 and engaged in the making of a motion picture is*
18 *exempt from the imposition of any fees established pursuant to*
19 *subsection 1 for any vehicle used in the making of the motion*
20 *picture. If the motion picture company or a person affiliated with*
21 *the motion picture company wishes to claim the exemption from*
22 *the fee, the motion picture company or person claiming the*
23 *exemption must give a copy of the letter of registration of*
24 *the motion picture company to the Department when applying for*
25 *the continuous permit.*

26 **Sec. 15.** Section 2 of the Carson City Tax on Transient
27 Lodging, being Chapter 645, Statutes of Nevada 1987, at page 1511,
28 is hereby amended to read as follows:

29 Sec. 2. Imposition of tax on revenue from rental of
30 transient lodging.

31 1. The Board of Supervisors of Carson City may by
32 resolution, in addition to any other tax levied, levy a tax at a
33 rate of not more than 2 percent of the gross receipts from the
34 rental of transient lodging in that county upon all persons in
35 the business of providing lodging.

36 2. *The gross receipts from the rental of transient*
37 *lodging to a motion picture company that is registered*
38 *pursuant to NRS 231.128 and engaged in the making of a*
39 *motion picture is exempt from the tax imposed by an*
40 *ordinance adopted pursuant to this section. If a motion*
41 *picture company or a person affiliated with the motion*
42 *picture company wishes to claim the exemption from the*
43 *tax, the motion picture company or person claiming the*
44 *exemption must give a copy of the letter of registration of*



the motion picture company to the business providing the lodging.

Sec. 16. Section 29 of the Douglas County Lodgers Tax Law, being Chapter 639, Statutes of Nevada 1969, as amended by Chapter 496, Statutes of Nevada 1997, at page 2382, is hereby amended to read as follows:

Sec. 29. Exemptions.

1. The municipality may provide that the occupancy tax does not apply:

(a) If a vendee:

(1) Has been a permanent resident of the taxable premises for a period of at least 28 consecutive days; or

(2) Enters into or has entered into a written agreement for lodgings at the taxable premises for a period of at least 28 consecutive days;

(b) If the rent paid by a vendee is less than \$2 a day;

(c) To lodgings at religious, charitable, educational or philanthropic institutions, including, without limitation, such accommodations at summer camps operated by such institutions;

(d) To clinics, hospitals or other medical facilities;

(e) To privately owned and operated convalescent homes or homes for the aged, infirm, indigent or chronically ill;

(f) If the taxable premises does not have at least three rooms or three other units of accommodations for lodging; or

(g) To all or any combination of events or conditions provided in paragraphs (a) to (f), inclusive.

2. The occupancy tax does not apply to:

(a) Lodgings at institutions of the Federal Government, the State, the municipality or any other public body.

(b) The rental of any lodgings by an employee of the Federal Government, the State or a political subdivision of the State, if the transaction is conducted directly with the governmental entity pursuant to a governmental credit card or a contract, purchase order or similar document executed or authorized by an appropriate official of the governmental entity.

(c) The rental of any lodgings to a motion picture company that is registered pursuant to NRS 231.128 and engaged in the making of a motion picture. If a motion picture company or a person affiliated with the motion picture company wishes to claim the exemption from the tax, the motion picture company or person claiming the exemption must give a copy of the letter of registration of



1 *the motion picture company to the business providing the*
2 *lodging.*
3 **Sec. 17.** This act becomes effective on July 1, 2005.

