

SENATE BILL NO. 146—SENATOR MCGINNESS

FEBRUARY 22, 2007

Referred to Committee on Taxation

SUMMARY—Authorizes the boards of county commissioners of certain counties to levy an ad valorem tax to pay the costs of operating a regional facility for the detention of children. (BDR 31-937)

FISCAL NOTE: Effect on Local Government: No.
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 the financial administration of counties; authorizing the boards of county commissioners of certain counties to levy an ad valorem tax to pay the costs of operating a regional facility for the detention of children; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law authorizes the boards of county commissioners of at least two counties to levy a property tax of 5 cents per \$100 of the assessed valuation of the property in those counties to pay the costs of operating a regional facility, including certain regional facilities for the detention of children for which those counties are required to pay an assessment for its operation. (NRS 354.557, 354.59818) This bill authorizes the boards of county commissioners of counties whose populations are less than 100,000 (currently counties other than Clark and Washoe Counties) to levy a separate property tax of 4 cents per \$100 of the assessed valuation of the property in those counties to pay the costs of operating such a regional facility for the detention of children.

Existing law establishes a general limitation on the maximum amount by which the revenue that a local government may receive from property taxes may increase each year. (NRS 354.59811) This bill exempts the additional levy of property tax authorized by this bill from that limitation.

Existing law generally limits the amount by which the tax liability of property may increase each year. (NRS 361.4722, 361.4723, 361.4724) This bill exempts the additional levy of property tax authorized by this bill from that limitation for the first fiscal year in which the tax is imposed.



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

Section 1. NRS 354.59818 is hereby amended to read as follows:

354.59818 1. In addition to the allowed revenue from taxes ad valorem determined pursuant to NRS 354.59811 ~~and~~ *and any tax imposed pursuant to subsection 2*, the boards of county commissioners of at least two counties may levy a tax ad valorem on all taxable property in their respective counties at a rate not to exceed 5 cents per \$100 of the assessed valuation of each county to pay the costs of operating a regional facility.

2. *In addition to the allowed revenue from taxes ad valorem determined pursuant to NRS 354.59811 and any tax imposed pursuant to subsection 1, the board of county commissioners of a county whose population is less than 100,000 may, by a two-thirds vote of the board, adopt an ordinance levying a tax ad valorem on all taxable property in the county at a rate of 4 cents per \$100 of the assessed valuation of the county to pay the costs of operating a regional facility for the detention of children for which an assessment is paid pursuant to NRS 62B.160. If a tax is levied pursuant to this subsection, the tax bill of each affected taxpayer must separately state:*

(a) That the tax is a county-imposed tax for regional juvenile services;

(b) The rate of the tax; and

(c) The amount of the tax liability resulting from the levy of the tax.

3. *An ordinance adopted pursuant to subsection 2:*

(a) Must not be applied or administered in any manner that reduces the revenue of any other governmental entity that is entitled to receive money from taxes ad valorem levied in the county; and

(b) Must be reviewed by the board of county commissioners at least once every 10 years.

4. Counties that levy a tax ad valorem pursuant to subsection 1 or 2 may enter into an interlocal agreement or interlocal contract to create an administrative entity to operate a regional facility.

~~3.5~~ 5. The revenue of a tax collected pursuant to this section must be remitted on the first day of the first month of each calendar quarter to:

(a) If the regional facility is operated by a county, the treasurer of the county; or

(b) If the regional facility is operated by an administrative entity, the administrative entity.



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1 ~~[4.]~~ 6. By the end of each fiscal year, the board of county
2 commissioners of each county that levies a tax pursuant to ~~this~~
3 ~~section~~ **subsection 1** must determine the rate of tax required to
4 produce revenue in an amount which is sufficient to pay the
5 operating costs of the regional facility for the ensuing fiscal year.
6 When calculating a rate pursuant to this ~~section~~ **subsection**, the
7 board of county commissioners of each county shall consider the
8 amount of money remaining in the fund created pursuant to NRS
9 354.59819, if such a fund is created, unless the amount of money
10 remaining in the fund is 10 percent or less of the revenue deposited
11 for the current fiscal year.

12 **Sec. 2.** (Deleted by amendment.)

13 **Sec. 3.** NRS 361.4726 is hereby amended to read as follows:

14 361.4726 1. Except as otherwise provided by specific statute,
15 if any legislative act which becomes effective after April 6, 2005,
16 imposes a duty on a taxing entity to levy a new ad valorem tax or to
17 increase the rate of an existing ad valorem tax, the amount of the
18 new tax or increase in the rate of the existing tax is exempt from
19 each partial abatement from taxation provided pursuant to NRS
20 361.4722, 361.4723 and 361.4724.

21 2. *The amount of any ad valorem tax imposed pursuant to*
22 *subsection 2 of NRS 354.59818 is exempt from each partial*
23 *abatement from taxation provided pursuant to NRS 361.4722,*
24 *361.4723 and 361.4724 for the first fiscal year in which the tax is*
25 *imposed, but is thereafter subject to each of those partial*
26 *abatements from taxation.*

27 3. For the purposes of this section, "taxing entity" does not
28 include the State.

29 **Sec. 4.** This act becomes effective on July 1, 2007.

