

Amendment No. 407

Senate Amendment to Senate Bill No. 141	(BDR 32-757)
Proposed by: Senate Committee on Taxation	
Amends: Summary: Yes Title: Yes Preamble: No Joint Sponsorship: No Digest: Yes	

Adoption of this amendment will REMOVE the 2/3s majority vote requirement from S.B. 141.

ASSEMBLY ACTION		Initial and Date	SENATE ACTION		Initial and Date
Adopted	☐	Lost ☐	Adopted	☐	Lost ☐
Concurred In	☐	Not ☐	Concurred In	☐	Not ☐
Receded	☐	Not ☐	Receded	☐	Not ☐

EXPLANATION: Matter in (1) *blue bold italics* is new language in the original bill; (2) *green bold italic underlining* is new language proposed in this amendment; (3) ~~red strikethrough~~ is deleted language in the original bill; (4) ~~purple double strikethrough~~ is language proposed to be deleted in this amendment; (5) orange double underlining is deleted language in the original bill that is proposed to be retained in this amendment; and (6) *green bold* is newly added transitory language.

SJC/BJE



Date: 4/15/2007

S.B. No. 141—Increases the rate of the tax on transfers of real property in certain counties to fund capital projects for the county school district.
(BDR 32-757)



SENATE BILL NO. 141—SENATORS RAGGIO,
TOWNSEND, MATHEWS AND WASHINGTON

FEBRUARY 22, 2007

JOINT SPONSORS: ASSEMBLYMEN ANDERSON, MARVEL,
LESLIE, BOBZIEN, GANSERT AND SMITH

Referred to Committee on Taxation

SUMMARY—~~Increases~~ **Contingently increases** the rate of the tax on transfers of real property in certain counties to fund capital projects for the county school district. (BDR 32-757)

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 taxation; **contingently** increasing the rate of the tax on transfers of real property in certain counties; requiring ~~the~~ **any** proceeds of the increased tax to be deposited in the county school district's fund for capital projects; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Under existing law, subject to certain exceptions, a tax is imposed on the transfer of real property in each county. In a county whose population is 400,000 or more (currently Clark County), the tax is imposed at a rate of \$1.25 for each \$500 of value of the property. In all other counties, the tax is imposed at a rate of 65 cents for each \$500 of value. (NRS 375.020, 375.090) **Section 1** of this bill makes the rate of \$1.25 for each \$500 of value applicable in a county whose population is 100,000 or more, thereby increasing the rate of the tax in counties whose population is 100,000 or more but less than 400,000 (currently Washoe County).

Under existing law, in a county whose population is 400,000 or more, a portion of the proceeds of the tax that is equal to 60 cents for each \$500 of value must be deposited in the county school district's fund for capital projects. (NRS 375.070) **Section 2** of this bill makes that requirement applicable in a county whose population is 100,000 or more.

The provisions of sections 1 and 2 of this bill will become effective on January 1, 2009, only if the voters of the affected counties approve of the effect of those provisions at the 2008 General Election.

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

Section 1. NRS 375.020 is hereby amended to read as follows:

375.020 1. A tax, at the rate of:

(a) In a county whose population is ~~400,000~~ 100,000 or more, \$1.25; and

(b) In a county whose population is less than ~~400,000~~ 100,000, 65 cents, for each \$500 of value or fraction thereof, is hereby imposed on each deed by which any lands, tenements or other realty is granted, assigned, transferred or otherwise conveyed to, or vested in, another person, if the consideration or value of the interest or property conveyed exceeds \$100.

2. The amount of tax must be computed on the basis of the value of the transferred real property as declared pursuant to NRS 375.060.

Sec. 2. NRS 375.070 is hereby amended to read as follows:

375.070 1. The county recorder shall transmit the proceeds of the tax imposed by NRS 375.020 at the end of each quarter in the following manner:

(a) An amount equal to that portion of the proceeds which is equivalent to 10 cents for each \$500 of value or fraction thereof must be transmitted to the State Controller who shall deposit that amount in the Account for Low-Income Housing created pursuant to NRS 319.500.

(b) In a county whose population is ~~more than 400,000~~ 100,000 or more, an amount equal to that portion of the proceeds which is equivalent to 60 cents for each \$500 of value or fraction thereof must be transmitted to the county treasurer for deposit in the county school district's fund for capital projects established pursuant to NRS 387.328, to be held and expended in the same manner as other money deposited in that fund.

(c) The remaining proceeds must be transmitted to the State Controller for deposit in the Local Government Tax Distribution Account created by NRS 360.660 for credit to the respective accounts of Carson City and each county.

2. In addition to any other authorized use of the proceeds it receives pursuant to subsection 1, a county or city may use the proceeds to pay expenses related to or incurred for the development of affordable housing for families whose income does not exceed 80 percent of the median income for families residing in the same county, as that percentage is defined by the United States Department of Housing and Urban Development. A county or city that uses the proceeds in that manner must give priority to the development of affordable housing for persons who are disabled or elderly.

3. The expenses authorized by subsection 2 include, but are not limited to:

(a) The costs to acquire land and developmental rights;

(b) Related predevelopment expenses;

(c) The costs to develop the land, including the payment of related rebates;

(d) Contributions toward down payments made for the purchase of affordable housing; and

(e) The creation of related trust funds.

Sec. 3. At the general election on November 4, 2008, in each county whose population is 100,000 or more but less than 400,000, a question must be placed on the general election ballot in substantially the following form:

Shall the tax on transfers of real property in this county be increased by 60 cents for each \$500 of the value of the transferred property to fund capital projects for the county school district?

~~Sec. 3.~~ **Sec. 4. 1. This section and section 3 of this act becomes effective on July 1, 2007.**

1 **2. Sections 1 and 2 of this act become effective on January 1, 2009, only if**
2 **a majority of the voters voting on the question placed on the ballot pursuant to**
3 **section 3 of this act vote affirmatively on the question in all the counties in**
4 **which the question was placed on the ballot.**