

SENATE BILL NO. 429—COMMITTEE OF THE WHOLE

MAY 19, 2009

Referred to Committee of the Whole

SUMMARY—Provides additional revenue for the provision of governmental services. (BDR 32-1320)

FISCAL NOTE: Effect on Local Government: No.  
Effect on the State: No.

~

EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to state financial administration; temporarily increasing the state business license fee; temporarily revising the rate of the payroll tax imposed on certain businesses other than financial institutions; revising the provisions governing the calculation of governmental services taxes due annually for used vehicles and allocating a portion of the proceeds of the basic governmental services tax for 4 years to the State General Fund and thereafter to the State Highway Fund; temporarily increasing the rate of the Local School Support Tax; and providing other matters properly relating thereto.

**Legislative Counsel's Digest:**

**Sections 1 and 2** of this bill increase the fee for a state business license from \$100 to \$200.

Existing law imposes an excise tax on certain businesses other than financial institutions at the rate of 0.63 percent of the total wages paid by the business each calendar quarter. (NRS 363B.110) **Section 3** of this bill changes that rate to 0.5 percent of the amount paid that does not exceed \$62,500, plus 1.17 percent of the amount paid in excess of \$62,500.

Existing law sets forth depreciation schedules for determining the amount of governmental services taxes due each year for used vehicles and establishes a minimum tax of \$6. (NRS 371.060) **Section 4** of this bill increases the amount of governmental services taxes due annually for used vehicles by reducing the amount of depreciation allowed and increasing the minimum tax to \$16. **Sections 5 and 13-15** of this bill allocate the revenue from these increases in the basic governmental services tax to the State General Fund for the next 4 years. **Sections 15.5 and 18.5** of this bill provide for the money from the increases to be deposited in the State Highway Fund thereafter.



\* S B 4 2 9 R 1 \*

17 Under existing law, the Local School Support Tax Law imposes sales and use  
18 taxes at the rate of 2.25 percent. (NRS 374.110, 374.190) **Sections 6-8** of this bill  
19 increase that rate to 2.6 percent.

---

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

1 **Section 1.** NRS 360.780 is hereby amended to read as follows:  
2 360.780 1. Except as otherwise provided in subsection 7, a  
3 person shall not conduct a business in this State unless he has a state  
4 business license issued by the Department.  
5 2. An application for a state business license must:  
6 (a) Be made upon a form prescribed by the Department;  
7 (b) Set forth the name under which the applicant transacts or  
8 intends to transact business and the location of his place or places of  
9 business;  
10 (c) Be accompanied by a fee of ~~[\$100;]~~ **\$200;** and  
11 (d) Include any other information that the Department deems  
12 necessary.  
13 3. The application must be signed by:  
14 (a) The owner, if the business is owned by a natural person;  
15 (b) A member or partner, if the business is owned by an  
16 association or partnership; or  
17 (c) An officer or some other person specifically authorized to  
18 sign the application, if the business is owned by a corporation.  
19 4. If the application is signed pursuant to paragraph (c) of  
20 subsection 3, written evidence of the signer's authority must be  
21 attached to the application.  
22 5. The state business license required to be obtained pursuant  
23 to this section is in addition to any license to conduct business that  
24 must be obtained from the local jurisdiction in which the business is  
25 being conducted.  
26 6. For the purposes of NRS 360.760 to 360.798, inclusive, a  
27 person shall be deemed to conduct a business in this State if a  
28 business for which the person is responsible:  
29 (a) Is organized pursuant to title 7 of NRS, other than a business  
30 organized pursuant to chapter 82 or 84 of NRS;  
31 (b) Has an office or other base of operations in this State; or  
32 (c) Pays wages or other remuneration to a natural person who  
33 performs in this State any of the duties for which he is paid.  
34 7. A person who takes part in an exhibition held in this State  
35 for a purpose related to the conduct of a business is not required to  
36 obtain a state business license specifically for that event if the  
37 operator of the facility where the exhibition is held pays the  
38 licensing fee on behalf of that person pursuant to NRS 360.787.



**Sec. 2.** NRS 360.784 is hereby amended to read as follows:

360.784 1. Except as otherwise provided in subsection 2, a person who has been issued a state business license shall submit a fee of ~~[\$100]~~ \$200 to the Department on or before:

(a) The last day of the month in which the anniversary date of issuance of the state business license occurs in each year; or

(b) Such other annual date as the Department and person may mutually agree,

↪ unless the person submits a written statement to the Department, at least 10 days before that date, indicating that the person will not be conducting business in this State after that date.

2. The Department may reduce the amount of any initial fee required pursuant to paragraph (b) of subsection 1 to allow credit for the remaining portion of a year for which the fee has been paid for the state business license pursuant to paragraph (a) of subsection 1 or NRS 360.780.

3. A person who fails to submit the annual fee required pursuant to this section in a timely manner shall pay a penalty in the amount of \$100 in addition to the annual fee.

**Sec. 3.** NRS 363B.110 is hereby amended to read as follows:

363B.110 1. There is hereby imposed an excise tax on each employer ~~[at the rate of 0.63 percent of the wages, as defined in NRS 612.190,]~~ in the amount determined as follows:

(a) *If the sum of all the wages* paid by the employer during a calendar quarter with respect to employment in connection with the business activities of the employer ~~[ ]~~ *does not exceed \$62,500, the amount of the tax for that calendar quarter is 0.5 percent of the sum of those wages; or*

(b) *If the sum of all the wages paid by the employer during a calendar quarter with respect to employment in connection with the business activities of the employer exceeds \$62,500, the amount of the tax for that calendar quarter is \$312.50 plus 1.17 percent of the amount by which the sum of those wages exceeds \$62,500.*

2. The tax imposed by this section:

(a) Does not apply to any person or other entity or any wages this State is prohibited from taxing under the Constitution, laws or treaties of the United States or the Nevada Constitution.

(b) Must not be deducted, in whole or in part, from any wages of persons in the employment of the employer.

3. Each employer shall, on or before the last day of the month immediately following each calendar quarter for which the employer is required to pay a contribution pursuant to NRS 612.535:



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

(b) Remit to the Department any tax due pursuant to this chapter for that calendar quarter.

**Sec. 4.** NRS 371.060 is hereby amended to read as follows:

371.060 1. Except as otherwise provided in subsection 2, each vehicle must be depreciated by the Department for the purposes of the annual governmental services tax according to the following schedule:

Age	Percentage of Initial Value
New .....	100 percent
1 year .....	<del>[85]</del> 95 percent
2 years .....	<del>[75]</del> 85 percent
3 years .....	<del>[65]</del> 75 percent
4 years .....	<del>[55]</del> 65 percent
5 years .....	<del>[45]</del> 55 percent
6 years .....	<del>[35]</del> 45 percent
7 years .....	<del>[25]</del> 35 percent
8 years .....	<del>[15]</del> 25 percent
9 years or more .....	<del>[5]</del> 15 percent

2. Each bus, truck or truck-tractor having a declared gross weight of 10,000 pounds or more and each trailer or semitrailer having an unladen weight of 4,000 pounds or more must be depreciated by the Department for the purposes of the annual governmental services tax according to the following schedule:

Age	Percentage of Initial Value
New .....	100 percent
1 year .....	<del>[75]</del> 85 percent
2 years .....	<del>[59]</del> 69 percent
3 years .....	<del>[47]</del> 57 percent
4 years .....	<del>[37]</del> 47 percent
5 years .....	<del>[28]</del> 38 percent
6 years .....	<del>[23]</del> 33 percent
7 years .....	<del>[20]</del> 30 percent
8 years .....	<del>[17]</del> 27 percent
9 years .....	<del>[15]</del> 25 percent
10 years or more .....	<del>[13]</del> 23 percent



3. Notwithstanding any other provision of this section, the minimum amount of the governmental services tax:

(a) On any trailer having an unladen weight of 1,000 pounds or less is \$3; and

(b) On any other vehicle is ~~[\$6.]~~ **\$16.**

4. For the purposes of this section, a vehicle shall be deemed a "new" vehicle if the vehicle has never been registered with the Department and has never been registered with the appropriate agency of any other state, the District of Columbia, any territory or possession of the United States or any foreign state, province or country.

**Sec. 5.** NRS 371.230 is hereby amended to read as follows:

371.230 Except as otherwise provided in NRS 371.1035, 482.180 ~~for~~ **and** 482.181, **and section 13 of this act**, money collected by the Department for governmental services taxes and penalties pursuant to the provisions of this chapter must be deposited with the State Treasurer to the credit of the Motor Vehicle Fund.

**Sec. 6.** Chapter 374 of NRS is hereby amended by adding thereto the provisions set forth as sections 7 and 8 of this act.

**Sec. 7.** *In addition to the amount of tax imposed pursuant to NRS 374.110, for the privilege of selling tangible personal property at retail an additional amount of tax is hereby imposed upon all retailers at the rate of 0.35 percent of the gross receipts of any retailer from the sale of all tangible personal property sold at retail in a county.*

**Sec. 8. 1.** *In addition to the amount of excise tax imposed pursuant to NRS 374.190, an additional amount of excise tax is hereby imposed on the storage, use or other consumption in a county of tangible personal property purchased from any retailer for storage, use or other consumption in the county at the rate of 0.35 percent of the sales price of the property.*

**2.** *The additional amount of tax is imposed on all property which was acquired out of State in a transaction which would have been a taxable sale if it had occurred within this State.*

**Sec. 8.5.** NRS 374.315 is hereby amended to read as follows:

374.315 1. There are exempted from the taxes imposed by this chapter the gross receipts from the sale of, and the storage, use or other consumption in a county of, tangible personal property used for the performance of a written contract entered into before July 1, 1967.

2. There are exempted from the additional taxes imposed by amendment to this chapter the gross receipts from the sale of, and the storage, use or other consumption in a county of, tangible



\* S B 4 2 9 R 1 \*

1 personal property used for the performance of a written contract for  
2 construction entered into before May 1, 1981.

3 3. There are exempted from the additional taxes imposed by  
4 this chapter the gross receipts from the sale of, and the storage, use  
5 or other consumption in a county of, tangible personal property used  
6 for the performance of a written contract for construction of an  
7 improvement to real property, entered into before July 30, 1991, or  
8 for which a binding bid was submitted before that date if the bid was  
9 afterward accepted, if under the terms of the contract or bid the  
10 contract price or bid amount cannot be adjusted to reflect the  
11 imposition of the additional taxes.

12 *4. There are exempted from the taxes imposed by this chapter*  
13 *the gross receipts from the sale of, and the storage, use or other*  
14 *consumption in a county of, tangible personal property used for*  
15 *the performance of a written contract entered into before July*  
16 *2009.*

17 **Sec. 9.** NRS 374.635 is hereby amended to read as follows:

18 374.635 1. If the Department determines that any amount,  
19 penalty or interest has been paid more than once or has been  
20 erroneously or illegally collected or computed, the Department shall  
21 set forth that fact in the records of the Department and shall certify  
22 to the board of county commissioners the amount collected in  
23 excess of the amount legally due and the person from whom it was  
24 collected or by whom paid. If approved by the board of county  
25 commissioners, the excess amount collected or paid must, after  
26 being credited against any amount then due from the person in  
27 accordance with section 1 of ~~[this act,]~~ *Assembly Bill No. 23 of this*  
28 *session*, be refunded to the person or his successors, administrators  
29 or executors.

30 2. Any overpayment of the use tax by a purchaser to a retailer  
31 who is required to collect the tax and who gives the purchaser a  
32 receipt therefor pursuant to NRS 374.190 to 374.260, inclusive, *and*  
33 *section 8 of this act*, and 374.727 must be credited or refunded by  
34 the county to the purchaser, subject to the requirements of section 1  
35 of ~~[this act,]~~ *Assembly Bill No. 23 of this session.*

36 **Sec. 10.** NRS 374.645 is hereby amended to read as follows:

37 374.645 No credit or refund of any amount paid pursuant to  
38 NRS 374.190 to 374.260, inclusive, *and section 8 of this act*, and  
39 374.727 may be allowed on the ground that the storage, use or other  
40 consumption of the property is exempted pursuant to NRS 374.350,  
41 unless the person who paid the amount reimburses his vendor for the  
42 amount of the sales tax imposed upon his vendor with respect to the  
43 sale of the property and paid by the vendor to the county.



\* S B 4 2 9 R 1 \*

**Sec. 11.** NRS 374.726 is hereby amended to read as follows:

374.726 In its administration of the use tax imposed by NRS 374.190 ~~§~~ *and section 8 of this act*, the Department shall not consider the storage, use or other consumption in a county of tangible personal property which:

1. Does not have significant value; and
2. Is acquired free of charge at a convention, trade show or other public event.

**Sec. 12.** NRS 374.727 is hereby amended to read as follows:

374.727 In administering the provisions of this chapter, the Department shall, pursuant to NRS 374.190 ~~§~~ *and section 8 of this act*, calculate the amount of tax imposed on the use or other consumption of meals provided by an employer to his employee based on the cost of the specific components of those meals if:

1. The meals are furnished on a regular basis on the premises of the employer for the convenience of the employer; and
2. The employer does not charge the employees a specific fixed price per meal.

**Sec. 13.** Chapter 482 of NRS is hereby amended by adding thereto a new section to read as follows:

*1. After deducting the amount withheld by the Department and the amount credited to the Department pursuant to subsection 6 of NRS 482.180 and before carrying out the provisions of NRS 482.181 each month, the Department shall direct the State Controller to transfer to the State General Fund from the proceeds of the basic governmental services tax collected by the Department and its agents during the preceding month the amounts indicated pursuant to this section.*

*2. Except as otherwise provided in subsection 3, the amount required to be transferred pursuant to subsection 1 from the proceeds of the basic governmental services tax imposed on vehicles depreciated in accordance with:*

*(a) Subsection 1 of NRS 371.060 based upon an age of:*

*(1) One year, is a sum equal to 11 percent of those proceeds;*

*(2) Two years, is a sum equal to 12 percent of those proceeds;*

*(3) Three years, is a sum equal to 13 percent of those proceeds;*

*(4) Four years, is a sum equal to 15 percent of those proceeds;*

*(5) Five years, is a sum equal to 18 percent of those proceeds;*

*(6) Six years, is a sum equal to 22 percent of those proceeds;*



\* S B 4 2 9 R 1 \*

(7) Seven years, is a sum equal to 29 percent of those proceeds;

(8) Eight years, is a sum equal to 40 percent of those proceeds; and

(9) Nine years or more, is a sum equal to 67 percent of those proceeds; and

(b) Subsection 2 of NRS 371.060 based upon an age of:

(1) One year, is a sum equal to 12 percent of those proceeds;

(2) Two years, is a sum equal to 14 percent of those proceeds;

(3) Three years, is a sum equal to 18 percent of those proceeds;

(4) Four years, is a sum equal to 21 percent of those proceeds;

(5) Five years, is a sum equal to 26 percent of those proceeds;

(6) Six years, is a sum equal to 30 percent of those proceeds;

(7) Seven years, is a sum equal to 33 percent of those proceeds;

(8) Eight years, is a sum equal to 37 percent of those proceeds;

(9) Nine years, is a sum equal to 40 percent of those proceeds; and

(10) Ten years or more, is a sum equal to 43 percent of those proceeds.

3. The amount required to be transferred pursuant to subsection 1 from the proceeds of the basic governmental services tax imposed on vehicles to which the minimum amount of that tax applies pursuant to paragraph (b) of subsection 3 of NRS 371.060 is a sum equal to 63 percent of those proceeds.

**Sec. 14.** NRS 482.180 is hereby amended to read as follows:

482.180 1. The Motor Vehicle Fund is hereby created as an agency fund. Except as otherwise provided in subsection 4 or by a specific statute, all money received or collected by the Department must be deposited in the State Treasury for credit to the Motor Vehicle Fund.

2. The interest and income on the money in the Motor Vehicle Fund, after deducting any applicable charges, must be credited to the State Highway Fund.

3. Any check accepted by the Department in payment of the governmental services tax or any other fee required to be collected pursuant to this chapter must, if it is dishonored upon presentation for payment, be charged back against the Motor Vehicle Fund or the



\* S B 4 2 9 R 1 \*



1 county to which the payment was credited pursuant to this section or  
2 NRS 482.181, in the proper proportion.

3 4. Except as otherwise provided in subsection 6, all money  
4 received or collected by the Department for the basic governmental  
5 services tax must be distributed in the manner set forth in NRS  
6 482.181 ~~and~~ *and section 13 of this act.*

7 5. Money for the administration of the provisions of this  
8 chapter must be provided by direct legislative appropriation from  
9 the State Highway Fund or other legislative authorization, upon the  
10 presentation of budgets in the manner required by law. Out of the  
11 appropriation or authorization, the Department shall pay every item  
12 of expense.

13 6. The Department shall withhold 6 percent from the amount of  
14 the governmental services tax collected by the Department as a  
15 commission. From the amount of the governmental services tax  
16 collected by a county assessor, the State Controller shall credit 1  
17 percent to the Department as a commission and remit 5 percent to  
18 the county for credit to its general fund as commission for the  
19 services of the county assessor. All money withheld by or credited  
20 to the Department pursuant to this subsection must be used only for  
21 the administration of this chapter as authorized by the Legislature  
22 pursuant to subsection 5.

23 7. When the requirements of this section and NRS 482.181 *and*  
24 *section 13 of this act* have been met, and when directed by the  
25 Department, the State Controller shall transfer monthly to the State  
26 Highway Fund any balance in the Motor Vehicle Fund.

27 8. If a statute requires that any money in the Motor Vehicle  
28 Fund be transferred to another fund or account, the Department shall  
29 direct the *State* Controller to transfer the money in accordance with  
30 the statute.

31 **Sec. 15.** NRS 482.181 is hereby amended to read as follows:

32 482.181 1. Except as otherwise provided in subsection 5,  
33 after deducting the amount withheld by the Department and the  
34 amount credited to the Department pursuant to subsection 6 of NRS  
35 482.180, *and the amount transferred to the State General Fund*  
36 *pursuant to section 13 of this act*, the Department shall certify  
37 monthly to the State Board of Examiners the amount of the basic  
38 and supplemental governmental services taxes collected for each  
39 county by the Department and its agents during the preceding  
40 month, and that money must be distributed monthly as provided in  
41 this section.

42 2. Any supplemental governmental services tax collected for a  
43 county must be distributed only to the county, to be used as  
44 provided in NRS 371.045 and 371.047.



3. The distribution of the basic governmental services tax received or collected for each county must be made to the county school district within each county before any distribution is made to a local government, special district or enterprise district. For the purpose of calculating the amount of the basic governmental services tax to be distributed to the county school district, the taxes levied by each local government, special district and enterprise district are the product of its certified valuation, determined pursuant to subsection 2 of NRS 361.405, and its tax rate, established pursuant to NRS 361.455 for the fiscal year beginning on July 1, 1980, except that the tax rate for school districts, including the rate attributable to a district's debt service, is the rate established pursuant to NRS 361.455 for the fiscal year beginning on July 1, 1978, but if the rate attributable to a district's debt service in any fiscal year is greater than its rate for the fiscal year beginning on July 1, 1978, the higher rate must be used to determine the amount attributable to debt service.

4. After making the distributions set forth in subsection 3, the remaining money received or collected for each county must be deposited in the Local Government Tax Distribution Account created by NRS 360.660 for distribution to local governments, special districts and enterprise districts within each county pursuant to the provisions of NRS 360.680 and 360.690.

5. An amount equal to any basic governmental services tax distributed to a redevelopment agency in the Fiscal Year 1987-1988 must continue to be distributed to that agency as long as it exists but must not be increased.

6. The Department shall make distributions of the basic governmental services tax directly to county school districts.

7. As used in this section:

(a) "Enterprise district" has the meaning ascribed to it in NRS 360.620.

(b) "Local government" has the meaning ascribed to it in NRS 360.640.

(c) "Received or collected for each county" means:

(1) For the basic governmental services tax collected on vehicles subject to the provisions of chapter 706 of NRS, the amount determined for each county based on the following percentages:

Carson City.....	1.07 percent	Lincoln .....	3.12 percent
Churchill.....	5.21 percent	Lyon .....	2.90 percent
Clark.....	22.54 percent	Mineral .....	2.40 percent
Douglas .....	2.52 percent	Nye.....	4.09 percent
Elko .....	13.31 percent	Pershing.....	7.00 percent



\* S B 4 2 9 R 1 \*

1	Esmeralda.....	2.52 percent	Storey .....	.19 percent
2	Eureka .....	3.10 percent	Washoe.....	12.24 percent
3	Humboldt.....	8.25 percent	White Pine.....	5.66 percent
4	Lander .....	3.88 percent		

(2) For all other basic and supplemental governmental services tax received or collected by the Department, the amount attributable to each county based on the county of registration of the vehicle for which the tax was paid.

(d) "Special district" has the meaning ascribed to it in NRS 360.650.

**Sec. 15.5.** NRS 482.181 is hereby amended to read as follows:

482.181 1. Except as otherwise provided in subsection 5, after deducting the amount withheld by the Department and the amount credited to the Department pursuant to subsection 6 of NRS 482.180, and the amount transferred to the State ~~[General]~~ *Highway* Fund pursuant to section 13 of this act, the Department shall certify monthly to the State Board of Examiners the amount of the basic and supplemental governmental services taxes collected for each county by the Department and its agents during the preceding month, and that money must be distributed monthly as provided in this section.

2. Any supplemental governmental services tax collected for a county must be distributed only to the county, to be used as provided in NRS 371.045 and 371.047.

3. The distribution of the basic governmental services tax received or collected for each county must be made to the county school district within each county before any distribution is made to a local government, special district or enterprise district. For the purpose of calculating the amount of the basic governmental services tax to be distributed to the county school district, the taxes levied by each local government, special district and enterprise district are the product of its certified valuation, determined pursuant to subsection 2 of NRS 361.405, and its tax rate, established pursuant to NRS 361.455 for the fiscal year beginning on July 1, 1980, except that the tax rate for school districts, including the rate attributable to a district's debt service, is the rate established pursuant to NRS 361.455 for the fiscal year beginning on July 1, 1978, but if the rate attributable to a district's debt service in any fiscal year is greater than its rate for the fiscal year beginning on July 1, 1978, the higher rate must be used to determine the amount attributable to debt service.

4. After making the distributions set forth in subsection 3, the remaining money received or collected for each county must be deposited in the Local Government Tax Distribution Account



\* S B 4 2 9 R 1 \*

1 created by NRS 360.660 for distribution to local governments,  
2 special districts and enterprise districts within each county pursuant  
3 to the provisions of NRS 360.680 and 360.690.

4 5. An amount equal to any basic governmental services tax  
5 distributed to a redevelopment agency in the Fiscal Year 1987-1988  
6 must continue to be distributed to that agency as long as it exists but  
7 must not be increased.

8 6. The Department shall make distributions of the basic  
9 governmental services tax directly to county school districts.

10 7. As used in this section:

11 (a) "Enterprise district" has the meaning ascribed to it in  
12 NRS 360.620.

13 (b) "Local government" has the meaning ascribed to it in  
14 NRS 360.640.

15 (c) "Received or collected for each county" means:

16 (1) For the basic governmental services tax collected on  
17 vehicles subject to the provisions of chapter 706 of NRS, the  
18 amount determined for each county based on the following  
19 percentages:

21 Carson City..... 1.07 percent	Lincoln ..... 3.12 percent
22 Churchill..... 5.21 percent	Lyon ..... 2.90 percent
23 Clark ..... 22.54 percent	Mineral ..... 2.40 percent
24 Douglas ..... 2.52 percent	Nye ..... 4.09 percent
25 Elko ..... 13.31 percent	Pershing ..... 7.00 percent
26 Esmeralda ..... 2.52 percent	Storey ..... 19 percent
27 Eureka ..... 3.10 percent	Washoe ..... 12.24 percent
28 Humboldt..... 8.25 percent	White Pine ..... 5.66 percent
29 Lander ..... 3.88 percent	

30  
31 (2) For all other basic and supplemental governmental  
32 services tax received or collected by the Department, the amount  
33 attributable to each county based on the county of registration of the  
34 vehicle for which the tax was paid.

35 (d) "Special district" has the meaning ascribed to it in  
36 NRS 360.650.

37 **Sec. 16.** NRS 482.260 is hereby amended to read as follows:

38 482.260 1. When registering a vehicle, the Department and  
39 its agents or a registered dealer shall:

40 (a) Collect the fees for license plates and registration as  
41 provided for in this chapter.

42 (b) Collect the governmental services tax on the vehicle, as  
43 agent *for the State and* for the county where the applicant intends to  
44 base the vehicle for the period of registration, unless the vehicle is  
45 deemed to have no base.



\* S B 4 2 9 R 1 \*

(c) Collect the applicable taxes imposed pursuant to chapters 372, 374, 377 and 377A of NRS.

(d) Issue a certificate of registration.

(e) If the registration is performed by the Department, issue the regular license plate or plates.

(f) If the registration is performed by a registered dealer, provide information to the owner regarding the manner in which the regular license plate or plates will be made available to him.

2. Upon proof of ownership satisfactory to the Director, he shall cause to be issued a certificate of title as provided in this chapter.

3. Except as otherwise provided in NRS 371.070, every vehicle being registered for the first time in Nevada must be taxed for the purposes of the governmental services tax for a 12-month period.

4. The Department shall deduct and withhold 2 percent of the taxes collected pursuant to paragraph (c) of subsection 1 and remit the remainder to the Department of Taxation.

5. A registered dealer shall forward all fees and taxes collected for the registration of vehicles to the Department.

**Sec. 17.** NRS 482.280 is hereby amended to read as follows:

482.280 1. The registration of every vehicle expires at midnight on the day specified on the receipt of registration, unless the day specified falls on a Saturday, Sunday or legal holiday. If the day specified on the receipt of registration is a Saturday, Sunday or legal holiday, the registration of the vehicle expires at midnight on the next judicial day. The Department shall mail to each holder of a certificate of registration an application for renewal of registration for the following period of registration. The applications must be mailed by the Department in sufficient time to allow all applicants to mail the applications to the Department and to receive new certificates of registration and license plates, stickers, tabs or other suitable devices by mail before the expiration of their registrations. An applicant may present or submit the application to any agent or office of the Department.

2. An application:

(a) Mailed or presented to the Department or to a county assessor pursuant to the provisions of this section;

(b) Submitted to the Department pursuant to NRS 482.294; or

(c) Presented to an authorized inspection station or authorized station pursuant to the provisions of NRS 482.281,

➔ must include, if required, evidence of compliance with standards for *the* control of emissions.

3. The Department shall insert in each application mailed pursuant to subsection 1:



\* S B 4 2 9 R 1 \*

(a) The amount of the governmental services tax to be collected ~~for the county~~ pursuant to the provisions of NRS 482.260.

(b) The amount set forth in a notice of nonpayment filed with the Department by a local authority pursuant to NRS 484.444.

(c) A statement which informs the applicant that, pursuant to NRS 485.185, he is legally required to maintain insurance during the period in which the motor vehicle is registered.

4. An owner who has made proper application for renewal of registration before the expiration of the current registration but who has not received the license plate or plates or card of registration for the ensuing period of registration is entitled to operate or permit the operation of that vehicle upon the highways upon displaying thereon the license plate or plates issued for the preceding period of registration for such a time as may be prescribed by the Department as it may find necessary for the issuance of the new plate or plates or card of registration.

**Sec. 18.** NRS 706.211 is hereby amended to read as follows:

706.211 All money collected by the Department under the provisions of NRS 706.011 to 706.861, inclusive, must be deposited in the State Treasury for credit to the Motor Vehicle Fund. Except as otherwise provided in this chapter and NRS 482.180 and 482.181, *and except for any money transferred to the State General Fund pursuant to section 13 of this act*, all money collected under the provisions of NRS 706.011 to 706.861, inclusive, must be used for the construction, maintenance and repair of the public highways of this State.

**Sec. 18.5.** Section 13 of this act is hereby amended to read as follows:

Sec. 13. Chapter 482 of NRS is hereby amended by adding thereto a new section to read as follows:

1. After deducting the amount withheld by the Department and the amount credited to the Department pursuant to subsection 6 of NRS 482.180 and before carrying out the provisions of NRS 482.181 each month, the Department shall direct the State Controller to transfer to the State ~~General~~ *Highway* Fund from the proceeds of the basic governmental services tax collected by the Department and its agents during the preceding month the amounts indicated pursuant to this section.

2. Except as otherwise provided in subsection 3, the amount required to be transferred pursuant to subsection 1 from the proceeds of the basic governmental services tax imposed on vehicles depreciated in accordance with:

(a) Subsection 1 of NRS 371.060 based upon an age of:



(1) One year, is a sum equal to 11 percent of those proceeds;

(2) Two years, is a sum equal to 12 percent of those proceeds;

(3) Three years, is a sum equal to 13 percent of those proceeds;

(4) Four years, is a sum equal to 15 percent of those proceeds;

(5) Five years, is a sum equal to 18 percent of those proceeds;

(6) Six years, is a sum equal to 22 percent of those proceeds;

(7) Seven years, is a sum equal to 29 percent of those proceeds;

(8) Eight years, is a sum equal to 40 percent of those proceeds; and

(9) Nine years or more, is a sum equal to 67 percent of those proceeds; and

(b) Subsection 2 of NRS 371.060 based upon an age of:

(1) One year, is a sum equal to 12 percent of those proceeds;

(2) Two years, is a sum equal to 14 percent of those proceeds;

(3) Three years, is a sum equal to 18 percent of those proceeds;

(4) Four years, is a sum equal to 21 percent of those proceeds;

(5) Five years, is a sum equal to 26 percent of those proceeds;

(6) Six years, is a sum equal to 30 percent of those proceeds;

(7) Seven years, is a sum equal to 33 percent of those proceeds;

(8) Eight years, is a sum equal to 37 percent of those proceeds;

(9) Nine years, is a sum equal to 40 percent of those proceeds; and

(10) Ten years or more, is a sum equal to 43 percent of those proceeds.

3. The amount required to be transferred pursuant to subsection 1 from the proceeds of the basic governmental services tax imposed on vehicles to which the minimum amount of that tax applies pursuant to paragraph (b) of subsection 3 of NRS 371.060 is a sum equal to 63 percent of those proceeds.



\* S B 4 2 9 R 1 \*

1     **Sec. 19.** The amendatory provisions of:

2     1. Section 3 of this act:

3     (a) Do not apply to any taxes due for any period ending on or  
4 before June 30, 2009; and

5     (b) Except as otherwise provided in paragraph (a) and  
6 notwithstanding the expiration of that section by limitation pursuant  
7 to section 20 of this act, apply to taxes due pursuant to NRS  
8 363B.110 for each calendar quarter ending on or before June 30,  
9 2011.

10    2. Sections 4, 5, 13, 14, 15, 16, 17 and 18 of this act apply to  
11 governmental services taxes imposed for any period of registration  
12 of a vehicle that begins on or after September 1, 2009.

13    **Sec. 20.** 1. This section and section 19 of this act become  
14 effective upon passage and approval.

15    2. Sections 1, 2, 3 and 6 to 12, inclusive, of this act become  
16 effective on July 1, 2009, and expire by limitation on June 30, 2011.

17    3. Sections 4, 5, 13, 14, 15, 16, 17 and 18 of this act become  
18 effective:

19    (a) Upon passage and approval for the purpose of performing  
20 any preparatory administrative tasks that are necessary to carry out  
21 the provisions of this act; and

22    (b) On September 1, 2009, for all other purposes.

23    4. Sections 15.5 and 18.5 of this act become effective on  
24 July 1, 2013.

25    5. Section 18 of this act expires by limitation on June 30, 2013.

