
ASSEMBLY BILL NO. 323—ASSEMBLYMEN PAUL ANDERSON,
HICKEY; GRADY, HARDY, LIVERMORE, MARTIN, MUNFORD
AND STEWART

MARCH 18, 2013

JOINT SPONSOR: SENATOR HAMMOND

Referred to Committee on Taxation

SUMMARY—Provides a deduction from the payroll tax for newly
hired employees under certain circumstances.
(BDR 32-761)

FISCAL NOTE: Effect on Local Government: No.
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 taxation; providing a deduction from the
payroll tax for wages paid to newly hired employees
under certain circumstances; and providing other matters
properly relating thereto.

Legislative Counsel's Digest:

1 Existing law requires employers to pay a payroll tax on the wages paid to their
2 employees during each calendar quarter. The tax is imposed on financial
3 institutions at the rate of 2 percent per calendar quarter and, effective July 1, 2013,
4 on other employers at the rate of 0.63 percent per calendar quarter. (NRS
5 363A.130, 363B.110) This bill authorizes financial institutions and other employers
6 to deduct from the total amount of wages reported and upon which the payroll tax is
7 imposed any wages paid to newly hired employees during the next 2 fiscal years if
8 certain conditions are satisfied.



* A B 3 2 3 *

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

Section 1. Chapter 363A of NRS is hereby amended by adding thereto a new section to read as follows:

1. Except as otherwise provided in subsection 2, an employer may deduct from the total amount of wages reported and upon which the excise tax is imposed pursuant to NRS 363A.130 any wages paid by the employer to an employee during each calendar quarter ending on or before June 30, 2015, if:

(a) The employee is hired by the employer on or after July 1, 2013;

(b) At the time of hiring, the employee had not been employed by the employer at any time during the immediately preceding 24 months;

(c) The total number of employees employed by the employer on the last day of the calendar quarter for which the deduction is claimed exceeds the total number of employees employed by the employer on the last day of the corresponding calendar quarter of the immediately preceding calendar year; and

(d) The total number of hours worked by all employees employed by the employer during the calendar quarter for which the deduction is claimed exceeds the total number of hours worked by all employees employed by the employer during the corresponding calendar quarter of the immediately preceding calendar year.

2. The total amount of wages with respect to which an employer may, pursuant to subsection 1, claim a deduction from the excise tax imposed pursuant to NRS 363A.130 must not, under any circumstances, exceed the amount by which the total wages paid by the employer to all employees during the calendar quarter for which the deduction is claimed exceed the total wages paid by the employer to all employees during the corresponding calendar quarter of the immediately preceding calendar year.

3. An employer claiming the deduction allowed pursuant to this section shall, upon the request of the Department, explain the amount claimed to the satisfaction of the Department and provide the Department with such documentation as the Department deems appropriate for that purpose.

Sec. 2. Chapter 363B of NRS is hereby amended by adding thereto a new section to read as follows:

1. Except as otherwise provided in subsection 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 any



* A B 3 2 3 *

1 *wages paid by the employer to an employee during each calendar*
2 *quarter ending on or before June 30, 2015, if:*

3 *(a) The employee is hired by the employer on or after July 1,*
4 *2013;*

5 *(b) At the time of hiring, the employee had not been employed*
6 *by the employer at any time during the immediately preceding 24*
7 *months;*

8 *(c) The total number of employees employed by the employer*
9 *on the last day of the calendar quarter for which the deduction is*
10 *claimed exceeds the total number of employees employed by the*
11 *employer on the last day of the corresponding calendar quarter of*
12 *the immediately preceding calendar year; and*

13 *(d) The total number of hours worked by all employees*
14 *employed by the employer during the calendar quarter for which*
15 *the deduction is claimed exceeds the total number of hours worked*
16 *by all employees employed by the employer during the*
17 *corresponding calendar quarter of the immediately preceding*
18 *calendar year.*

19 *2. The total amount of wages with respect to which an*
20 *employer may, pursuant to subsection 1, claim a deduction from*
21 *the excise tax imposed pursuant to NRS 363B.110 must not, under*
22 *any circumstances, exceed the amount by which the total wages*
23 *paid by the employer to all employees during the calendar quarter*
24 *for which the deduction is claimed exceed the total wages paid by*
25 *the employer to all employees during the corresponding calendar*
26 *quarter of the immediately preceding calendar year.*

27 *3. An employer claiming the deduction allowed pursuant to*
28 *this section shall, upon the request of the Department, explain the*
29 *amount claimed to the satisfaction of the Department and provide*
30 *the Department with such documentation as the Department*
31 *deems appropriate for that purpose.*

32 **Sec. 3.** This act becomes effective on July 1, 2013, and expires
33 by limitation on July 31, 2015.

