

(§§ 1.7, 1.8, 1.9)

(Reprinted with amendments adopted on June 3, 2013)**THIRD REPRINT****A.B. 413****ASSEMBLY BILL NO. 413—COMMITTEE ON TAXATION****MARCH 20, 2013**

Referred to Committee on Taxation

SUMMARY—Revises provisions relating to taxation.
(BDR 32-1010)

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 taxation; authorizing certain larger counties to impose additional taxes on fuels for motor vehicles; providing for the imposition by the State of additional taxes on fuels for motor vehicles if a ballot question authorizing such additional taxes is approved by a majority of the voters in this State; providing for the imposition by the boards of county commissioners of certain counties of additional taxes on fuels for motor vehicles if a ballot question authorizing such additional taxes is approved by a majority of the voters in the county; requiring the approval by voters of additional ballot measures to continue the imposition of the additional taxes; requiring certain persons who use special fuel in motor vehicles operated or intended to operate interstate to file certain returns with the Department of Motor Vehicles under certain circumstances; requiring the Department to adopt regulations establishing a system for auditing of such returns to determine whether any amounts are owed by or to such persons pursuant to certain cooperative agreements; requiring the Department to charge and collect certain fees; authorizing the Department to enter into certain intergovernmental agreements or contracts under certain circumstances; creating an enterprise fund administered by the Director of the Department; providing for the administration, allocation, disbursement and use of the additional taxes; removing the exemption for the sale of revenue bonds secured by county fuel taxes from certain requirements; and providing other matters properly relating thereto.



* A B 4 1 3 R 3 *

Legislative Counsel's Digest:

Existing law authorizes counties to impose certain taxes on motor vehicle fuels and special fuels used in motor vehicles. (Chapter 373 of NRS) **Section 1.1** of this bill authorizes the board of county commissioners of a county whose population is 700,000 or more and in which a regional transportation commission has been created and a county tax is imposed on motor vehicle fuel (currently Clark County) to impose, upon approval by a two-thirds majority of the members of the board, additional county taxes on motor vehicle fuel and various special fuels used in motor vehicles. **Section 1.1** also authorizes the board of county commissioners to provide for annual increases in these taxes, for the period beginning on January 1, 2014, and ending on December 31, 2016, in an amount equal to the lesser of: (1) a percentage established by the ordinance imposing the tax; or (2) a percentage based on historical increases in the cost of highway and street construction. **Section 1.1** additionally provides that for the period beginning on January 1, 2017: (1) the board of county commissioners must not impose any additional increases in certain taxes authorized by that section; and (2) increases in the remainder of the taxes authorized by that section may not be effectuated unless a majority of the voters in the county at the general election in November 2016 authorize the board of county commissioners to continue to provide for the annual increases.

Upon approval by a majority of the voters in the State at the general election in November 2016, **section 1.2** of this bill requires the State to impose additional state taxes on motor vehicle fuel and various special fuels used in motor vehicles. **Section 1.2** also authorizes the Legislature to provide for annual increases in these taxes, for the period beginning on January 1, 2017, and ending on December 31, 2026. **Section 1.2** additionally provides that for the period beginning on January 1, 2027, the increases in these taxes may not be effectuated unless a majority of the voters in the State at the general election in November 2026 authorize the Legislature to continue to provide for the annual increases.

Upon approval by a majority of the voters in any county, other than Washoe County or, under certain circumstances, Clark County, at the general election in November 2016, **section 1.3** of this bill requires the board of county commissioners of the county to impose additional county taxes on motor vehicle fuel and various special fuels used in motor vehicles. **Section 1.3** also authorizes the board of county commissioners to provide for annual increases in these taxes, for the period beginning on January 1, 2017, and ending on December 31, 2026. **Section 1.3** additionally provides that for the period beginning on January 1, 2027, the increases in these taxes may not be effectuated unless a majority of the voters in the county at the general election in November 2026 authorize the board of county commissioners to continue to provide for the annual increases.

The Department of Motor Vehicles is a party to the International Fuel Tax Agreement, a multistate agreement which facilitates the calculation and collection of certain fuel taxes from interstate trucking companies and others who use special fuel (primarily diesel fuel) in vehicles operated or intended to operate interstate. (NRS 366.175) **Sections 1.7-1.95** of this bill require certain special fuel users to file a return with the Department and require the Department to adopt regulations establishing a system for auditing such returns to determine whether any amounts are owed by or to the special fuel user pursuant to the International Fuel Tax Agreement as a result of any additional taxes on special fuels authorized or required by this bill. **Sections 1.7, 1.8 and 1.9** require the Department to charge and collect certain fees from the special fuel users who are required to file returns with the Department and additionally authorize the Department to enter into certain intergovernmental agreements or contracts to pay for certain costs relating to establishing and administering the system. **Sections 1.75, 1.85 and 1.95** create an enterprise fund known as the Local Fuel Tax Indexing Fund into which the



* A B 4 1 3 R 3 *

Department is required to deposit money received from the fees collected pursuant to sections 1.7, 1.8 and 1.9.

Sections 2-2.7 and 4-11.3 of this bill require the administration, allocation, disbursement and use of these taxes in the same manner as certain existing fuel taxes. Additionally, sections 2-2.7 require the annual review of these taxes by the regional transportation commission.

Sections 3-3.9 of this bill apply the current exemptions from fuel taxes to the taxes authorized by this bill, other than the exemption for certain undyed special fuel which is sold or used for any purpose other than to propel a motor vehicle upon the public highways.

Section 11.5 of this bill revises provisions of existing law to remove the exemption for the sale of revenue bonds that are secured by county fuel taxes from various requirements concerning the sale of bonds by competitive bid or negotiated sale.

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

Section 1. Chapter 373 of NRS is hereby amended by adding thereto the provisions set forth as sections 1.1 to 1.95, inclusive, of this act.

Sec. 1.1. 1. *Except as otherwise provided in this section, in a county whose population is 700,000 or more and in which a commission has been created and a tax is imposed pursuant to NRS 373.030:*

(a) The board may by ordinance impose:

(1) An excise tax on each gallon of motor vehicle fuel, except aviation fuel, sold in the county in an amount equal to the product obtained by multiplying 3.6 cents per gallon by the lesser of the applicable percentage or the adjusted average highway and street construction inflation index for the fiscal year in which the ordinance becomes effective; and

(2) Except as otherwise provided in subsection 5, an annual increase in the tax imposed pursuant to subparagraph (1), on the first day of each fiscal year following the fiscal year in which that tax becomes effective, in the amount determined by adding 3.6 cents per gallon to the amount of the tax imposed pursuant to subparagraph (1) during the immediately preceding fiscal year, then multiplying that sum by the lesser of the applicable percentage or the adjusted average highway and street construction inflation index for the fiscal year in which the increase becomes effective.

(b) The board may by ordinance impose:

(1) An excise tax on each gallon of motor vehicle fuel, except aviation fuel, sold in the county in an amount equal to the product obtained by multiplying 1.75 cents per gallon by the lesser of the applicable percentage or the adjusted average highway and



1 *street construction inflation index for the fiscal year in which the*
2 *ordinance becomes effective; and*

3 (2) *Except as otherwise provided in subsection 5, an annual*
4 *increase in the tax imposed pursuant to subparagraph (1), on the*
5 *first day of each fiscal year following the fiscal year in which that*
6 *tax becomes effective, in the amount determined by adding 1.75*
7 *cents per gallon to the amount of the tax imposed pursuant to*
8 *subparagraph (1) during the immediately preceding fiscal year,*
9 *then multiplying that sum by the lesser of the applicable*
10 *percentage or the adjusted average highway and street*
11 *construction inflation index for the fiscal year in which the*
12 *increase becomes effective.*

13 (c) *The board may by ordinance impose:*

14 (1) *An excise tax on each gallon of motor vehicle fuel,*
15 *except aviation fuel, sold in the county in an amount equal to the*
16 *product obtained by multiplying 1 cent per gallon by the lesser of*
17 *the applicable percentage or the adjusted average highway and*
18 *street construction inflation index for the fiscal year in which the*
19 *ordinance becomes effective; and*

20 (2) *Except as otherwise provided in subsection 5, an annual*
21 *increase in the tax imposed pursuant to subparagraph (1), on the*
22 *first day of each fiscal year following the fiscal year in which that*
23 *tax becomes effective, in the amount determined by adding 1 cent*
24 *per gallon to the amount of the tax imposed pursuant to*
25 *subparagraph (1) during the immediately preceding fiscal year,*
26 *then multiplying that sum by the lesser of the applicable*
27 *percentage or the adjusted average highway and street*
28 *construction inflation index for the fiscal year in which the*
29 *increase becomes effective.*

30 (d) *The board may by ordinance impose:*

31 (1) *An excise tax on each gallon of motor vehicle fuel,*
32 *except aviation fuel, sold in the county in an amount equal to the*
33 *product obtained by multiplying 9 cents per gallon by the lesser of*
34 *the applicable percentage or the adjusted average highway and*
35 *street construction inflation index for the fiscal year in which the*
36 *ordinance becomes effective; and*

37 (2) *Except as otherwise provided in subsection 5, an annual*
38 *increase in the tax imposed pursuant to subparagraph (1), on the*
39 *first day of each fiscal year following the fiscal year in which that*
40 *tax becomes effective, in the amount determined by adding 9 cents*
41 *per gallon to the amount of the tax imposed pursuant to*
42 *subparagraph (1) during the immediately preceding fiscal year,*
43 *then multiplying that sum by the lesser of the applicable*
44 *percentage or the adjusted average highway and street*



1 *construction inflation index for the fiscal year in which the*
2 *increase becomes effective.*

3 *(e) The board may by ordinance impose:*

4 *(1) An excise tax on each gallon of motor vehicle fuel,*
5 *except aviation fuel, sold in the county in an amount equal to the*
6 *product obtained by multiplying 18.455 cents per gallon by the*
7 *lesser of the applicable percentage or the adjusted average*
8 *highway and street construction inflation index for the fiscal year*
9 *in which the ordinance becomes effective; and*

10 *(2) Except as otherwise provided in subsection 5, an annual*
11 *increase in the tax imposed pursuant to subparagraph (1), on the*
12 *first day of each fiscal year following the fiscal year in which that*
13 *tax becomes effective, in the amount determined by adding 18.455*
14 *cents per gallon to the amount of the tax imposed pursuant to*
15 *subparagraph (1) during the immediately preceding fiscal year,*
16 *then multiplying that sum by the lesser of the applicable*
17 *percentage or the adjusted average highway and street*
18 *construction inflation index for the fiscal year in which the*
19 *increase becomes effective.*

20 *(f) The board may by ordinance impose:*

21 *(1) An excise tax on each gallon of motor vehicle fuel,*
22 *except aviation fuel, sold in the county in an amount equal to the*
23 *product obtained by multiplying 18.4 cents per gallon by the lesser*
24 *of the applicable percentage or the adjusted average highway and*
25 *street construction inflation index for the fiscal year in which the*
26 *ordinance becomes effective; and*

27 *(2) Except as otherwise provided in subsection 5, an annual*
28 *increase in the tax imposed pursuant to subparagraph (1), on the*
29 *first day of each fiscal year following the fiscal year in which that*
30 *tax becomes effective, in the amount determined by adding 18.4*
31 *cents per gallon to the amount of the tax imposed pursuant to*
32 *subparagraph (1) during the immediately preceding fiscal year,*
33 *then multiplying that sum by the lesser of the applicable*
34 *percentage or the adjusted average highway and street*
35 *construction inflation index for the fiscal year in which the*
36 *increase becomes effective.*

37 *(g) The board may by ordinance impose:*

38 *(1) An excise tax on each gallon of special fuel that consists*
39 *of an emulsion of water-phased hydrocarbon fuel sold in the*
40 *county in an amount equal to the product obtained by multiplying*
41 *19 cents per gallon by the lesser of the applicable percentage or*
42 *the adjusted average highway and street construction inflation*
43 *index for the fiscal year in which the ordinance becomes effective;*
44 *and*



(2) Except as otherwise provided in subsection 5, an annual increase in the tax imposed pursuant to subparagraph (1), on the first day of each fiscal year following the fiscal year in which that tax becomes effective, in the amount determined by adding 19 cents per gallon to the amount of the tax imposed pursuant to subparagraph (1) during the immediately preceding fiscal year, then multiplying that sum by the lesser of the applicable percentage or the adjusted average highway and street construction inflation index for the fiscal year in which the increase becomes effective.

(h) The board may by ordinance impose:

(1) An excise tax on each gallon of special fuel that consists of liquefied petroleum gas sold in the county in an amount equal to the product obtained by multiplying 22 cents per gallon by the lesser of the applicable percentage or the adjusted average highway and street construction inflation index for the fiscal year in which the ordinance becomes effective; and

(2) Except as otherwise provided in subsection 5, an annual increase in the tax imposed pursuant to subparagraph (1), on the first day of each fiscal year following the fiscal year in which that tax becomes effective, in the amount determined by adding 22 cents per gallon to the amount of the tax imposed pursuant to subparagraph (1) during the immediately preceding fiscal year, then multiplying that sum by the lesser of the applicable percentage or the adjusted average highway and street construction inflation index for the fiscal year in which the increase becomes effective.

(i) The board may by ordinance impose:

(1) An excise tax on each gallon of special fuel that consists of compressed natural gas sold in the county in an amount equal to the product obtained by multiplying 21 cents per gallon by the lesser of the applicable percentage or the adjusted average highway and street construction inflation index for the fiscal year in which the ordinance becomes effective; and

(2) Except as otherwise provided in subsection 5, an annual increase in the tax imposed pursuant to subparagraph (1), on the first day of each fiscal year following the fiscal year in which that tax becomes effective, in the amount determined by adding 21 cents per gallon to the amount of the tax imposed pursuant to subparagraph (1) during the immediately preceding fiscal year, then multiplying that sum by the lesser of the applicable percentage or the adjusted average highway and street construction inflation index for the fiscal year in which the increase becomes effective.

(j) The board may by ordinance impose:



* A B 4 1 3 R 3 *

(1) An excise tax on each gallon of special fuel sold in the county, other than any special fuel described in paragraph (g), (h) or (i), in an amount equal to the product obtained by multiplying 27.75 cents per gallon by the lesser of the applicable percentage or the adjusted average highway and street construction inflation index for the fiscal year in which the ordinance becomes effective; and

(2) Except as otherwise provided in subsection 5, an annual increase in the tax imposed pursuant to subparagraph (1), on the first day of each fiscal year following the fiscal year in which that tax becomes effective, in the amount determined by adding 27.75 cents per gallon to the amount of the tax imposed pursuant to subparagraph (1) during the immediately preceding fiscal year, then multiplying that sum by the lesser of the applicable percentage or the adjusted average highway and street construction inflation index for the fiscal year in which the increase becomes effective.

(k) The board may by ordinance impose:

(1) An excise tax on each gallon of special fuel that consists of liquefied petroleum gas sold in the county in an amount equal to the product obtained by multiplying 18.3 cents per gallon by the lesser of the applicable percentage or the adjusted average highway and street construction inflation index for the fiscal year in which the ordinance becomes effective; and

(2) Except as otherwise provided in subsection 5, an annual increase in the tax imposed pursuant to subparagraph (1), on the first day of each fiscal year following the fiscal year in which that tax becomes effective, in the amount determined by adding 18.3 cents per gallon to the amount of the tax imposed pursuant to subparagraph (1) during the immediately preceding fiscal year, then multiplying that sum by the lesser of the applicable percentage or the adjusted average highway and street construction inflation index for the fiscal year in which the increase becomes effective.

(l) The board may by ordinance impose:

(1) An excise tax on each gallon of special fuel that consists of compressed natural gas sold in the county in an amount equal to the product obtained by multiplying 18.3 cents per gallon by the lesser of the applicable percentage or the adjusted average highway and street construction inflation index for the fiscal year in which the ordinance becomes effective; and

(2) Except as otherwise provided in subsection 5, an annual increase in the tax imposed pursuant to subparagraph (1), on the first day of each fiscal year following the fiscal year in which that tax becomes effective, in the amount determined by adding 18.3



1 cents per gallon to the amount of the tax imposed pursuant to
2 subparagraph (1) during the immediately preceding fiscal year,
3 then multiplying that sum by the lesser of the applicable
4 percentage or the adjusted average highway and street
5 construction inflation index for the fiscal year in which the
6 increase becomes effective.

7 (m) The board may by ordinance impose:

8 (1) An excise tax on each gallon of special fuel sold in the
9 county, other than any special fuel described in paragraph (k) or
10 (l), which is taxed by the Federal Government at a rate per gallon
11 or gallon equivalent of 24.4 cents or more, in an amount equal to
12 the product obtained by multiplying 24.4 cents per gallon by the
13 lesser of the applicable percentage or the adjusted average
14 highway and street construction inflation index for the fiscal year
15 in which the ordinance becomes effective; and

16 (2) Except as otherwise provided in subsection 5, an annual
17 increase in the tax imposed pursuant to subparagraph (1), on the
18 first day of each fiscal year following the fiscal year in which that
19 tax becomes effective, in the amount determined by adding 24.4
20 cents per gallon to the amount of the tax imposed pursuant to
21 subparagraph (1) during the immediately preceding fiscal year,
22 then multiplying that sum by the lesser of the applicable
23 percentage or the adjusted average highway and street
24 construction inflation index for the fiscal year in which the
25 increase becomes effective.

26 2. An ordinance authorized by this section must be approved
27 by a two-thirds majority of the members of the board. If the board
28 adopts an ordinance authorized by this section, the ordinance
29 must impose all of the taxes authorized by this section. Upon the
30 adoption of such an ordinance, and except as otherwise provided
31 in subsection 5, no further action by the board is necessary to
32 effectuate the annual increases in the taxes imposed by the
33 ordinance.

34 3. If the board adopts an ordinance imposing the taxes
35 authorized by this section, the ordinance:

36 (a) Must be adopted before October 1, 2013;

37 (b) Must become effective on January 1, 2014; and

38 (c) Is not affected by any changes in the population of the
39 county which occur after the adoption of the ordinance.

40 4. The applicable percentage specified by the board for the
41 taxes imposed pursuant to this section must be the same
42 percentage for each tax imposed pursuant to this section. Except
43 as otherwise provided in subsection 5, the board may amend the
44 applicable percentage by ordinance from time to time, but any
45 such amendment must not become effective earlier than 90 days



1 after the date of the adoption of the ordinance amending the
2 applicable percentage. Except as otherwise provided in subsection
3 4 of NRS 373.120, the applicable percentage must not be amended
4 to reduce the applicable percentage at any time that bonds are
5 outstanding secured by the taxes imposed pursuant to this section.

6 5. Upon the adoption of an ordinance authorized by this
7 section:

8 (a) For the period beginning on January 1, 2014, and ending
9 on December 31, 2016, no further action by the board is necessary
10 to effectuate the annual increases in the taxes imposed by the
11 ordinance.

12 (b) For the period beginning on January 1, 2017:

13 (1) The board shall not impose any additional annual
14 increases in the taxes authorized by paragraphs (e) and (g) to (j),
15 inclusive, of subsection 1 and imposed by the ordinance after
16 November 8, 2016, but any annual increases in the taxes
17 authorized by paragraphs (e) and (g) to (j), inclusive, of subsection
18 1 and imposed by the ordinance on or before November 8, 2016,
19 are not affected, amended, reduced or eliminated and must be
20 continued for any period during which bonds are outstanding that
21 are secured by the taxes authorized by paragraphs (e) and (g) to
22 (j), inclusive, of subsection 1 and imposed by the ordinance.

23 (2) The annual increases in the taxes authorized by
24 paragraphs (a) to (d), inclusive, (f), (k), (l) and (m) of subsection 1
25 and imposed by the ordinance may not be effectuated unless a
26 question is placed on the ballot at the general election on
27 November 8, 2016, which asks the voters in the county whether to
28 authorize the board to impose, for the period beginning on
29 January 1, 2017, the increases authorized by paragraphs (a) to (d),
30 inclusive, (f), (k), (l) and (m) of subsection 1 in the taxes imposed
31 by the ordinance and the question is approved by a majority of the
32 registered voters voting on the question. If the question is
33 approved by a majority of such voters, no further action by the
34 board is necessary to effectuate the annual increases in the taxes
35 authorized by paragraphs (a) to (d), inclusive, (f), (k), (l) and (m)
36 of subsection 1 and imposed by the ordinance. If the question is
37 not approved by a majority of such voters, the board shall not
38 impose any additional annual increases in the taxes authorized by
39 paragraphs (a) to (d), inclusive, (f), (k), (l) and (m) of subsection 1
40 and imposed by the ordinance after November 8, 2016, but any
41 annual increases in such taxes imposed by the ordinance on or
42 before November 8, 2016, are not affected, amended, reduced or
43 eliminated and must be continued for any period during which
44 bonds are outstanding that are secured by such taxes imposed by
45 the ordinance.



* A B 4 1 3 R 3 *

6. *As used in this section:*

(a) *“Adjusted average highway and street construction inflation index” means:*

(1) *For the fiscal year in which an ordinance adopted pursuant to this section becomes effective, the percentage obtained by adding the average highway and street construction inflation index for that fiscal year to:*

(I) *If the average highway and street construction inflation index for the immediately preceding fiscal year is greater than the applicable percentage, the remainder obtained by subtracting the applicable percentage from the average highway and street construction inflation index for the immediately preceding fiscal year; or*

(II) *If the average highway and street construction inflation index for the immediately preceding fiscal year is less than or equal to the applicable percentage, zero; and*

(2) *For each fiscal year following the fiscal year in which the ordinance becomes effective, the percentage obtained by adding the average highway and street construction inflation index for that fiscal year to:*

(I) *If the adjusted average highway and street construction inflation index for the immediately preceding fiscal year is greater than the applicable percentage, the remainder obtained by subtracting the applicable percentage from the adjusted average highway and street construction inflation index for the immediately preceding fiscal year; or*

(II) *If the adjusted average highway and street construction inflation index for the immediately preceding fiscal year is less than or equal to the applicable percentage, zero.*

(b) *“Applicable percentage” means the lesser of 7.8 percent or the percentage specified by the board in any ordinance imposing a tax pursuant to this section.*

(c) *“Average highway and street construction inflation index” means for a fiscal year the average percentage increase in the highway and street construction inflation index for the 10 calendar years immediately preceding the beginning of that fiscal year.*

(d) *“Highway and street construction inflation index” means:*

(1) *The Producer Price Index for Highway and Street Construction until that index ceased to be published; and*

(2) *The Producer Price Index for Other Nonresidential Construction thereafter or, if that index ceases to be published by the United States Department of Labor, the published index that most closely measures inflation in the costs of highway and street construction, as determined by the commission.*



* A B 4 1 3 R 3 *

(e) "Special fuel" has the meaning ascribed to it in NRS 366.060.

Sec. 1.2. 1. In addition to any other tax imposed pursuant to chapter 365 or 366 of NRS:

(a) There is hereby imposed:

(1) An excise tax on each gallon of motor vehicle fuel, except aviation fuel, sold in this State in an amount equal to the product obtained by multiplying 18.455 cents per gallon by the lesser of the applicable percentage or the adjusted average highway and street construction inflation index for the fiscal year in which this section becomes effective; and

(2) Except as otherwise provided in subsection 3, an annual increase in the tax imposed pursuant to subparagraph (1), on the first day of each fiscal year following the fiscal year in which that tax becomes effective, in the amount determined by adding 18.455 cents per gallon to the amount of the tax imposed pursuant to subparagraph (1) during the immediately preceding fiscal year, then multiplying that sum by the lesser of the applicable percentage or the adjusted average highway and street construction inflation index for the fiscal year in which the increase becomes effective.

(b) There is hereby imposed:

(1) An excise tax on each gallon of special fuel that consists of an emulsion of water-phased hydrocarbon fuel sold in this State in an amount equal to the product obtained by multiplying 19 cents per gallon by the lesser of the applicable percentage or the adjusted average highway and street construction inflation index for the fiscal year in which this section becomes effective; and

(2) Except as otherwise provided in subsection 3, an annual increase in the tax imposed pursuant to subparagraph (1), on the first day of each fiscal year following the fiscal year in which that tax becomes effective, in the amount determined by adding 19 cents per gallon to the amount of the tax imposed pursuant to subparagraph (1) during the immediately preceding fiscal year, then multiplying that sum by the lesser of the applicable percentage or the adjusted average highway and street construction inflation index for the fiscal year in which the increase becomes effective.

(c) There is hereby imposed:

(1) An excise tax on each gallon of special fuel that consists of liquefied petroleum gas sold in this State in an amount equal to the product obtained by multiplying 22 cents per gallon by the lesser of the applicable percentage or the adjusted average highway and street construction inflation index for the fiscal year in which this section becomes effective; and



* A B 4 1 3 R 3 *

(2) Except as otherwise provided in subsection 3, an annual increase in the tax imposed pursuant to subparagraph (1), on the first day of each fiscal year following the fiscal year in which that tax becomes effective, in the amount determined by adding 22 cents per gallon to the amount of the tax imposed pursuant to subparagraph (1) during the immediately preceding fiscal year, then multiplying that sum by the lesser of the applicable percentage or the adjusted average highway and street construction inflation index for the fiscal year in which the increase becomes effective.

(d) There is hereby imposed:

(1) An excise tax on each gallon of special fuel that consists of compressed natural gas sold in this State in an amount equal to the product obtained by multiplying 21 cents per gallon by the lesser of the applicable percentage or the adjusted average highway and street construction inflation index for the fiscal year in which this section becomes effective; and

(2) Except as otherwise provided in subsection 3, an annual increase in the tax imposed pursuant to subparagraph (1), on the first day of each fiscal year following the fiscal year in which that tax becomes effective, in the amount determined by adding 21 cents per gallon to the amount of the tax imposed pursuant to subparagraph (1) during the immediately preceding fiscal year, then multiplying that sum by the lesser of the applicable percentage or the adjusted average highway and street construction inflation index for the fiscal year in which the increase becomes effective.

(e) There is hereby imposed:

(1) An excise tax on each gallon of special fuel sold in this State, other than any special fuel described in paragraph (b), (c) or (d), in an amount equal to the product obtained by multiplying 27.75 cents per gallon by the lesser of the applicable percentage or the adjusted average highway and street construction inflation index for the fiscal year in which this section becomes effective; and

(2) Except as otherwise provided in subsection 3, an annual increase in the tax imposed pursuant to subparagraph (1), on the first day of each fiscal year following the fiscal year in which that tax becomes effective, in the amount determined by adding 27.75 cents per gallon to the amount of the tax imposed pursuant to subparagraph (1) during the immediately preceding fiscal year, then multiplying that sum by the lesser of the applicable percentage or the adjusted average highway and street construction inflation index for the fiscal year in which the increase becomes effective.



* A B 4 1 3 R 3 *

2. *The applicable percentage for the taxes imposed pursuant to this section must be the same percentage for each tax imposed pursuant to this section. Except as otherwise provided in subsection 3, the Legislature may amend the applicable percentage from time to time, but any such amendment must not become effective earlier than 90 days after the date of the action by the Legislature amending the applicable percentage. Except as otherwise provided in section 1.5 of this act, the applicable percentage must not be amended to reduce the applicable percentage at any time that bonds are outstanding which are secured by the taxes imposed pursuant to this section.*

3. *For the period:*

(a) *Beginning on January 1, 2017, and ending on December 31, 2026, no further action by the Legislature is necessary to effectuate the annual increases in the taxes imposed by this section.*

(b) *Beginning on January 1, 2027, the annual increases in the taxes imposed by this section must not be effectuated unless a question is placed on the ballot at the general election on November 3, 2026, which asks the voters in this State whether to authorize the Legislature to impose, for the period beginning on January 1, 2027, the increases authorized by this section in the taxes imposed by this section and the question is approved by a majority of the registered voters in this State voting on the question. If the question is approved by a majority of such voters, no further action by the Legislature is necessary to effectuate the annual increases in the taxes imposed by this section. If the question is not approved by a majority of such voters, the Legislature shall not impose any additional annual increases in the taxes imposed by this section after November 3, 2026, but any annual increases in the taxes imposed by this section in effect on or before November 3, 2026, are not affected, amended, reduced or eliminated and must be continued for any period during which bonds are outstanding that are secured by the taxes imposed by this section.*

4. *All money received from the taxes imposed pursuant to this section must be deposited with the State Treasurer to the credit of the State Highway Fund.*

5. *As used in this section:*

(a) *“Adjusted average highway and street construction inflation index” means:*

(1) *For the fiscal year in which this section becomes effective, the percentage obtained by adding the average highway and street construction inflation index for that fiscal year to:*



1 (I) If the average highway and street construction
2 inflation index for the immediately preceding fiscal year is greater
3 than the applicable percentage, the remainder obtained by
4 subtracting the applicable percentage from the average highway
5 and street construction inflation index for the immediately
6 preceding fiscal year; or

7 (II) If the average highway and street construction
8 inflation index for the immediately preceding fiscal year is less
9 than or equal to the applicable percentage, zero; and

10 (2) For each fiscal year following the fiscal year in which
11 this section becomes effective, the percentage obtained by adding
12 the average highway and street construction inflation index for
13 that fiscal year to:

14 (I) If the adjusted average highway and street
15 construction inflation index for the immediately preceding fiscal
16 year is greater than the applicable percentage, the remainder
17 obtained by subtracting the applicable percentage from the
18 adjusted average highway and street construction inflation index
19 for the immediately preceding fiscal year; or

20 (II) If the adjusted average highway and street
21 construction inflation index for the immediately preceding fiscal
22 year is less than or equal to the applicable percentage, zero.

23 (b) "Applicable percentage" means the lesser of 7.8 percent or
24 the percentage specified by the Legislature in any act amending
25 the applicable percentage of a tax imposed pursuant to this
26 section.

27 (c) "Average highway and street construction inflation index"
28 means for a fiscal year the average percentage increase in the
29 highway and street construction inflation index for the 10
30 calendar years immediately preceding the beginning of that fiscal
31 year.

32 (d) "Highway and street construction inflation index" means:

33 (1) The Producer Price Index for Highway and Street
34 Construction until that index ceased to be published; and

35 (2) The Producer Price Index for Other Nonresidential
36 Construction thereafter or, if that index ceases to be published by
37 the United States Department of Labor, the published index that
38 most closely measures inflation in the costs of highway and street
39 construction, as determined by the Legislature.

40 (e) "Special fuel" has the meaning ascribed to it in
41 NRS 366.060.

42 **Sec. 1.3. 1. In addition to any other tax imposed pursuant**
43 **to this chapter:**

44 (a) The board shall by ordinance impose:



* A B 4 1 3 R 3 *

(1) An excise tax on each gallon of motor vehicle fuel, except aviation fuel, sold in the county in an amount equal to the product obtained by multiplying 3.6 cents per gallon by the lesser of the applicable percentage or the adjusted average highway and street construction inflation index for the fiscal year in which the ordinance becomes effective; and

(2) Except as otherwise provided in subsection 4, an annual increase in the tax imposed pursuant to subparagraph (1), on the first day of each fiscal year following the fiscal year in which that tax becomes effective, in the amount determined by adding 3.6 cents per gallon to the amount of the tax imposed pursuant to subparagraph (1) during the immediately preceding fiscal year, then multiplying that sum by the lesser of the applicable percentage or the adjusted average highway and street construction inflation index for the fiscal year in which the increase becomes effective.

(b) The board shall by ordinance impose:

(1) An excise tax on each gallon of motor vehicle fuel, except aviation fuel, sold in the county in an amount equal to the product obtained by multiplying 1.75 cents per gallon by the lesser of the applicable percentage or the adjusted average highway and street construction inflation index for the fiscal year in which the ordinance becomes effective; and

(2) Except as otherwise provided in subsection 4, an annual increase in the tax imposed pursuant to subparagraph (1), on the first day of each fiscal year following the fiscal year in which that tax becomes effective, in the amount determined by adding 1.75 cents per gallon to the amount of the tax imposed pursuant to subparagraph (1) during the immediately preceding fiscal year, then multiplying that sum by the lesser of the applicable percentage or the adjusted average highway and street construction inflation index for the fiscal year in which the increase becomes effective.

(c) The board shall by ordinance impose:

(1) An excise tax on each gallon of motor vehicle fuel, except aviation fuel, sold in the county in an amount equal to the product obtained by multiplying 1 cent per gallon by the lesser of the applicable percentage or the adjusted average highway and street construction inflation index for the fiscal year in which the ordinance becomes effective; and

(2) Except as otherwise provided in subsection 4, an annual increase in the tax imposed pursuant to subparagraph (1), on the first day of each fiscal year following the fiscal year in which that tax becomes effective, in the amount determined by adding 1 cent per gallon to the amount of the tax imposed pursuant to



1 *subparagraph (1) during the immediately preceding fiscal year,*
2 *then multiplying that sum by the lesser of the applicable*
3 *percentage or the adjusted average highway and street*
4 *construction inflation index for the fiscal year in which the*
5 *increase becomes effective.*

6 *(d) The board shall by ordinance impose:*

7 *(1) An excise tax on each gallon of motor vehicle fuel,*
8 *except aviation fuel, sold in the county in an amount equal to the*
9 *product obtained by multiplying 9 cents per gallon by the lesser of*
10 *the applicable percentage or the adjusted average highway and*
11 *street construction inflation index for the fiscal year in which the*
12 *ordinance becomes effective; and*

13 *(2) Except as otherwise provided in subsection 4, an annual*
14 *increase in the tax imposed pursuant to subparagraph (1), on the*
15 *first day of each fiscal year following the fiscal year in which that*
16 *tax becomes effective, in the amount determined by adding 9 cents*
17 *per gallon to the amount of the tax imposed pursuant to*
18 *subparagraph (1) during the immediately preceding fiscal year,*
19 *then multiplying that sum by the lesser of the applicable*
20 *percentage or the adjusted average highway and street*
21 *construction inflation index for the fiscal year in which the*
22 *increase becomes effective.*

23 *(e) The board shall by ordinance impose:*

24 *(1) An excise tax on each gallon of motor vehicle fuel,*
25 *except aviation fuel, sold in the county in an amount equal to the*
26 *product obtained by multiplying 18.4 cents per gallon by the lesser*
27 *of the applicable percentage or the adjusted average highway and*
28 *street construction inflation index for the fiscal year in which the*
29 *ordinance becomes effective; and*

30 *(2) Except as otherwise provided in subsection 4, an annual*
31 *increase in the tax imposed pursuant to subparagraph (1), on the*
32 *first day of each fiscal year following the fiscal year in which that*
33 *tax becomes effective, in the amount determined by adding 18.4*
34 *cents per gallon to the amount of the tax imposed pursuant to*
35 *subparagraph (1) during the immediately preceding fiscal year,*
36 *then multiplying that sum by the lesser of the applicable*
37 *percentage or the adjusted average highway and street*
38 *construction inflation index for the fiscal year in which the*
39 *increase becomes effective.*

40 *(f) The board shall by ordinance impose:*

41 *(1) An excise tax on each gallon of special fuel that consists*
42 *of liquefied petroleum gas sold in the county in an amount equal*
43 *to the product obtained by multiplying 18.3 cents per gallon by the*
44 *lesser of the applicable percentage or the adjusted average*



1 *highway and street construction inflation index for the fiscal year*
2 *in which the ordinance becomes effective; and*

3 (2) *Except as otherwise provided in subsection 4, an annual*
4 *increase in the tax imposed pursuant to subparagraph (1), on the*
5 *first day of each fiscal year following the fiscal year in which that*
6 *tax becomes effective, in the amount determined by adding 18.3*
7 *cents per gallon to the amount of the tax imposed pursuant to*
8 *subparagraph (1) during the immediately preceding fiscal year,*
9 *then multiplying that sum by the lesser of the applicable*
10 *percentage or the adjusted average highway and street*
11 *construction inflation index for the fiscal year in which the*
12 *increase becomes effective.*

13 (g) *The board shall by ordinance impose:*

14 (1) *An excise tax on each gallon of special fuel that consists*
15 *of compressed natural gas sold in the county in an amount equal*
16 *to the product obtained by multiplying 18.3 cents per gallon by the*
17 *lesser of the applicable percentage or the adjusted average*
18 *highway and street construction inflation index for the fiscal year*
19 *in which the ordinance becomes effective; and*

20 (2) *Except as otherwise provided in subsection 4, an annual*
21 *increase in the tax imposed pursuant to subparagraph (1), on the*
22 *first day of each fiscal year following the fiscal year in which that*
23 *tax becomes effective, in the amount determined by adding 18.3*
24 *cents per gallon to the amount of the tax imposed pursuant to*
25 *subparagraph (1) during the immediately preceding fiscal year,*
26 *then multiplying that sum by the lesser of the applicable*
27 *percentage or the adjusted average highway and street*
28 *construction inflation index for the fiscal year in which the*
29 *increase becomes effective.*

30 (h) *The board shall by ordinance impose:*

31 (1) *An excise tax on each gallon of special fuel sold in the*
32 *county, other than any special fuel described in paragraph (f) or*
33 *(g), which is taxed by the Federal Government at a rate per gallon*
34 *or gallon equivalent of 24.4 cents or more, in an amount equal to*
35 *the product obtained by multiplying 24.4 cents per gallon by the*
36 *lesser of the applicable percentage or the adjusted average*
37 *highway and street construction inflation index for the fiscal year*
38 *in which the ordinance becomes effective; and*

39 (2) *Except as otherwise provided in subsection 4, an annual*
40 *increase in the tax imposed pursuant to subparagraph (1), on the*
41 *first day of each fiscal year following the fiscal year in which that*
42 *tax becomes effective, in the amount determined by adding 24.4*
43 *cents per gallon to the amount of the tax imposed pursuant to*
44 *subparagraph (1) during the immediately preceding fiscal year,*
45 *then multiplying that sum by the lesser of the applicable*



percentage or the adjusted average highway and street construction inflation index for the fiscal year in which the increase becomes effective.

2. Upon the adoption of the ordinance required by subsection 1, and except as otherwise provided in subsection 4, no further action by the board is necessary to effectuate the annual increases in the taxes imposed by the ordinance.

3. The applicable percentage specified by the board for the taxes imposed pursuant to this section must be the same percentage for each tax imposed by the board pursuant to this section. Except as otherwise provided in subsection 4, the board may amend the applicable percentage by ordinance from time to time, but any such amendment must not become effective earlier than 90 days after the date of the adoption of the ordinance amending the applicable percentage. Except as otherwise provided in subsection 4 of NRS 373.120, the applicable percentage must not be amended to reduce the applicable percentage at any time that bonds are outstanding which are secured by the taxes imposed pursuant to this section.

4. Upon the adoption of an ordinance authorized by this section:

(a) For the period beginning on January 1, 2017, and ending on December 31, 2026, no further action by the board is necessary to effectuate the annual increases in the taxes imposed by the ordinance.

(b) For the period beginning on January 1, 2027, the annual increases in the taxes imposed by the ordinance may not be effectuated unless a question is placed on the ballot at the general election on November 3, 2026, which asks the voters in the county whether to authorize the board to impose, for the period beginning on January 1, 2027, the increases authorized by this section in the taxes imposed by the ordinance and the question is approved by a majority of the registered voters in the county voting on the question. If the question is approved by a majority of such voters, no further action by the board is necessary to effectuate the annual increases in the taxes imposed by the ordinance. If the question is not approved by a majority of such voters, the board shall not impose any additional annual increases in the taxes imposed by the ordinance after November 3, 2026, but any annual increases in the taxes imposed by the ordinance in effect on or before November 3, 2026, are not affected, amended, reduced or eliminated and must be continued for any period during which bonds are outstanding that are secured by the taxes imposed by the ordinance.

5. As used in this section:



* A B 4 1 3 R 3 *

(a) "Adjusted average highway and street construction inflation index" means:

(1) For the fiscal year in which an ordinance adopted pursuant to this section becomes effective, the percentage obtained by adding the average highway and street construction inflation index for that fiscal year to:

(I) If the average highway and street construction inflation index for the immediately preceding fiscal year is greater than the applicable percentage, the remainder obtained by subtracting the applicable percentage from the average highway and street construction inflation index for the immediately preceding fiscal year; or

(II) If the average highway and street construction inflation index for the immediately preceding fiscal year is less than or equal to the applicable percentage, zero; and

(2) For each fiscal year following the fiscal year in which the ordinance becomes effective, the percentage obtained by adding the average highway and street construction inflation index for that fiscal year to:

(I) If the adjusted average highway and street construction inflation index for the immediately preceding fiscal year is greater than the applicable percentage, the remainder obtained by subtracting the applicable percentage from the adjusted average highway and street construction inflation index for the immediately preceding fiscal year; or

(II) If the adjusted average highway and street construction inflation index for the immediately preceding fiscal year is less than or equal to the applicable percentage, zero.

(b) "Applicable percentage" means the lesser of 7.8 percent or the percentage specified by the board in any ordinance imposing a tax pursuant to this section.

(c) "Average highway and street construction inflation index" means for a fiscal year the average percentage increase in the highway and street construction inflation index for the 10 calendar years immediately preceding the beginning of that fiscal year.

(d) "Highway and street construction inflation index" means:

(1) The Producer Price Index for Highway and Street Construction until that index ceased to be published; and

(2) The Producer Price Index for Other Nonresidential Construction thereafter or, if that index ceases to be published by the United States Department of Labor, the published index that most closely measures inflation in the costs of highway and street construction, as determined by the commission.



* A B 4 1 3 R 3 *

(e) "Special fuel" has the meaning ascribed to it in NRS 366.060.

Sec. 1.5. 1. Except as otherwise provided in subsection 2, any continuing increases in any taxes imposed pursuant to section 1.2 of this act must not be pledged beyond June 30 of the fiscal year that is 5 full fiscal years after bonds or other obligations which are secured by the taxes imposed pursuant to section 1.2 of this act are issued or incurred, but the taxes imposed pursuant to section 1.2 of this act that are in effect on that June 30 must continue to be pledged to those bonds or other obligations until they are paid in full.

2. At any time after bonds are issued or other obligations incurred with a pledge of the taxes imposed pursuant to section 1.2 of this act, the Legislature may, except as otherwise provided in paragraph (b) of subsection 3 of section 1.2 of this act:

(a) Continue the pledge of the increase in taxes imposed pursuant to section 1.2 of this act beyond June 30 of the fiscal year that is 5 full fiscal years after bonds or other obligations secured by the taxes imposed pursuant to section 1.2 of this act are issued or incurred, but not beyond June 30 of the fiscal year that is 5 full fiscal years after the action by the Legislature authorized by this paragraph. The process set forth in this paragraph may be repeated until all bonds or other obligations secured by the taxes imposed pursuant to section 1.2 of this act have been paid in full.

(b) Specify a different applicable percentage, including an applicable percentage of zero, but:

(1) The applicable percentage must not exceed 7.8 percent;

(2) The applicable percentage must not be reduced with respect to any fiscal year preceding the fiscal year following the effective date of any action of the Legislature authorized by this subsection; and

(3) The effective date of any action by the Legislature reducing the applicable percentage must not be sooner than the later of:

(I) June 30 of the fiscal year that is 5 full fiscal years after bonds or other obligations secured by the taxes imposed pursuant to section 1.2 of this act are issued or incurred; or

(II) June 30 of the fiscal year that is 5 full fiscal years after the date of any action by the Legislature authorized by paragraph (a).

3. As used in this section, "applicable percentage" has the meaning ascribed to it in paragraph (b) of subsection 5 of section 1.2 of this act.

Sec. 1.7. 1. A person who uses special fuel in a motor vehicle operated or intended to operate interstate and who pays



* A B 4 1 3 R 3 *

1 any tax imposed on special fuels pursuant to NRS 373.066 or
2 section 1.1 of this act shall file with the Department a return for
3 the purpose of the Department determining whether any amounts
4 are owed by or to the person pursuant to an agreement entered
5 into pursuant to NRS 366.175 as a result of the imposition of any
6 tax on special fuels pursuant to NRS 373.066 or section 1.1 of this
7 act. The Department shall adopt regulations establishing a system
8 to provide for the auditing of the records of a person who files
9 such a return to determine whether the person is entitled to
10 reimbursement of or owes any amounts pursuant to an agreement
11 entered into pursuant to NRS 366.175 as a result of the imposition
12 of any tax on special fuels pursuant to NRS 373.066 or section 1.1
13 of this act. The system established by the Department:

14 (a) Must authorize a person who uses special fuel in motor
15 vehicles operated or intended to operate interstate to file a request
16 for reimbursement of any amounts owed to the person pursuant to
17 an agreement entered into pursuant to NRS 366.175 as a result of
18 the imposition of any tax on special fuels pursuant to NRS
19 373.066 or section 1.1 of this act;

20 (b) Must provide that any reimbursement authorized by the
21 Department be paid from only money received by a county
22 pursuant to any tax imposed on special fuels pursuant to NRS
23 373.066 or section 1.1 of this act;

24 (c) Must provide that the total amount of money which must be
25 paid by any county in any fiscal year to reimburse any amounts
26 owed to persons who use special fuel in motor vehicles operated or
27 intended to operate interstate must not exceed 20 percent of the
28 total amount of money collected by that county from any tax
29 imposed on special fuels pursuant to NRS 373.066 or section 1.1
30 of this act; and

31 (d) Must not apply to any tax imposed pursuant to NRS
32 373.066 during the term of any bonds outstanding on the effective
33 date of this section secured by those taxes or of any bonds that
34 refund such bonds provided that the term of the refunding bonds
35 is not longer than the term of the refunded bonds.

36 2. The Department shall charge and collect a fee in an
37 amount not to exceed \$100 for each request for reimbursement
38 filed by a person pursuant to the system established by the
39 Department pursuant to subsection 1. All money from the fees
40 collected by the Department pursuant to this subsection must be
41 deposited in the Local Fuel Tax Indexing Fund created by section
42 1.75 of this act.

43 3. The Department and a commission which has been created
44 in a county whose population is 700,000 or more and in which a



* A B 4 1 3 R 3 *

1 *tax is imposed pursuant to section 1.1 of this act may enter into an*
2 *intergovernmental agreement or contract pursuant to which:*

3 *(a) The commission agrees to pay for the costs incurred by the*
4 *Department to establish the system pursuant to subsection 1 and*
5 *administer the system until the amount of money received by the*
6 *Department from the fees collected by the Department pursuant to*
7 *subsection 2 is sufficient to pay the costs incurred by the*
8 *Department to administer the system; and*

9 *(b) The Department agrees to reimburse the commission for*
10 *any money paid by the commission pursuant to paragraph (a)*
11 *from a portion of the money received by the Department from the*
12 *fees collected by the Department pursuant to subsection 2.*

13 *4. As used in this section, "special fuel" has the meaning*
14 *ascribed to it in NRS 366.060.*

15 **Sec. 1.75.** *1. The Local Fuel Tax Indexing Fund is hereby*
16 *created as an enterprise fund. The Department shall deposit in the*
17 *Fund all fees collected by the Department pursuant to subsection 2*
18 *of section 1.7 of this act. The Director of the Department shall*
19 *administer the Fund.*

20 *2. Money in the Fund must be invested as the money in other*
21 *state funds is invested. The interest and income earned on the*
22 *money in the Fund, after deducting any applicable charges, must*
23 *be credited to the Fund. Claims against the Fund must be paid as*
24 *other claims against the State are paid.*

25 *3. Money deposited in the Fund must only be expended:*

26 *(a) To administer the system established by the Department*
27 *pursuant to section 1.7 of this act; and*

28 *(b) To reimburse a commission for any amounts paid by the*
29 *commission pursuant to an intergovernmental agreement or*
30 *contract entered into pursuant to subsection 3 of section 1.7 of this*
31 *act.*

32 *4. The Director may maintain a reserve of not more than*
33 *\$500,000 in the Fund. The reserve must be accounted for*
34 *separately in the Fund and must only be expended to administer*
35 *the system established by the Department pursuant to section 1.7*
36 *of this act.*

37 *5. Any balance remaining in the Fund at the end of any fiscal*
38 *year:*

39 *(a) Does not revert to the State General Fund; and*

40 *(b) Must be carried forward to the next fiscal year.*

41 **Sec. 1.8.** *1. A person who uses special fuel in a motor*
42 *vehicle operated or intended to operate interstate and who pays*
43 *any tax imposed on special fuels pursuant to NRS 373.066 or*
44 *section 1.1 or 1.3 of this act shall file with the Department a return*
45 *for the purpose of the Department determining whether any*



* A B 4 1 3 R 3 *

1 amounts are owed by or to the person pursuant to an agreement
2 entered into pursuant to NRS 366.175 as a result of the imposition
3 of any tax on special fuels pursuant to NRS 373.066 or section 1.1
4 or 1.3 of this act. The Department shall adopt regulations
5 establishing a system to provide for the auditing of the records of a
6 person who files such a return to determine whether the person is
7 entitled to reimbursement of or owes any amounts pursuant to an
8 agreement entered into pursuant to NRS 366.175 as a result of the
9 imposition of any tax on special fuels pursuant to NRS 373.066 or
10 section 1.1 or 1.3 of this act. The system established by the
11 Department:

12 (a) Must authorize a person who uses special fuel in motor
13 vehicles operated or intended to operate interstate to file a request
14 for reimbursement of any amounts owed to the person pursuant to
15 an agreement entered into pursuant to NRS 366.175 as a result of
16 the imposition of any tax on special fuels pursuant to NRS
17 373.066 or section 1.1 or 1.3 of this act;

18 (b) Must provide that any reimbursement authorized by the
19 Department be paid from only money received by a county
20 pursuant to any tax imposed on special fuels pursuant to NRS
21 373.066 or section 1.1 or 1.3 of this act;

22 (c) Must provide that the total amount of money which must be
23 paid by any county in any fiscal year to reimburse any amounts
24 owed to persons who use special fuel in motor vehicles operated or
25 intended to operate interstate must not exceed 20 percent of the
26 total amount of money collected by that county from any tax
27 imposed on special fuels pursuant to NRS 373.066 or section 1.1
28 or 1.3 of this act; and

29 (d) Must not apply to any tax imposed pursuant to NRS
30 373.066 during the term of any bonds outstanding on January 1,
31 2017, secured by those taxes or of any bonds that refund such
32 bonds provided that the term of the refunding bonds is not longer
33 than the term of the refunded bonds.

34 2. The Department shall charge and collect a fee in an
35 amount not to exceed \$100 for each request for reimbursement
36 filed by a person pursuant to the system established by the
37 Department pursuant to subsection 1. All money from the fees
38 collected by the Department pursuant to this subsection must be
39 deposited in the Local Fuel Tax Indexing Fund created by section
40 1.85 of this act.

41 3. The Department and a commission which has been created
42 in a county whose population is 700,000 or more and in which a
43 tax is imposed pursuant to section 1.1 or 1.3 of this act may enter
44 into an intergovernmental agreement or contract pursuant to
45 which:



(a) The commission agrees to pay for the costs incurred by the Department to establish the system pursuant to subsection 1 and administer the system until the amount of money received by the Department from the fees collected by the Department pursuant to subsection 2 is sufficient to pay the costs incurred by the Department to administer the system; and

(b) The Department agrees to reimburse the commission for any money paid by the commission pursuant to paragraph (a) from a portion of the money received by the Department from the fees collected by the Department pursuant to subsection 2.

4. As used in this section, "special fuel" has the meaning ascribed to it in NRS 366.060.

Sec. 1.85. 1. The Local Fuel Tax Indexing Fund is hereby created as an enterprise fund. The Department shall deposit in the Fund all fees collected by the Department pursuant to subsection 2 of section 1.8 of this act. The Director of the Department shall administer the Fund.

2. Money in the Fund must be invested as the money in other state funds is invested. The interest and income earned on the money in the Fund, after deducting any applicable charges, must be credited to the Fund. Claims against the Fund must be paid as other claims against the State are paid.

3. Money deposited in the Fund must only be expended:

(a) To administer the system established by the Department pursuant to section 1.8 of this act; and

(b) To reimburse a commission for any amounts paid by the commission pursuant to an intergovernmental agreement or contract entered into pursuant to subsection 3 of section 1.8 of this act.

4. The Director may maintain a reserve of not more than \$500,000 in the Fund. The reserve must be accounted for separately in the Fund and must only be expended to administer the system established by the Department pursuant to section 1.8 of this act.

5. Any balance remaining in the Fund at the end of any fiscal year:

(a) Does not revert to the State General Fund; and

(b) Must be carried forward to the next fiscal year.

Sec. 1.9. 1. A person who uses special fuel in a motor vehicle operated or intended to operate interstate and who pays any tax imposed on special fuels pursuant to NRS 373.066 or section 1.3 of this act shall file with the Department a return for the purpose of the Department determining whether any amounts are owed by or to the person pursuant to an agreement entered into pursuant to NRS 366.175 as a result of the imposition of any



1 *tax on special fuels pursuant to NRS 373.066 or section 1.3 of this*
2 *act. The Department shall adopt regulations establishing a system*
3 *to provide for the auditing of the records of a person who files*
4 *such a return to determine whether the person is entitled to*
5 *reimbursement of or owes any amounts pursuant to an agreement*
6 *entered into pursuant to NRS 366.175 as a result of the imposition*
7 *of any tax on special fuels pursuant to NRS 373.066 or section 1.3*
8 *of this act. The system established by the Department:*

9 (a) *Must authorize a person who uses special fuel in motor*
10 *vehicles operated or intended to operate interstate to file a request*
11 *for reimbursement of any amounts owed to the person pursuant to*
12 *an agreement entered into pursuant to NRS 366.175 as a result of*
13 *the imposition of any tax on special fuels pursuant to NRS*
14 *373.066 or section 1.3 of this act;*

15 (b) *Must provide that any reimbursement authorized by the*
16 *Department be paid from only money received by a county*
17 *pursuant to any tax imposed on special fuels pursuant to NRS*
18 *373.066 or section 1.3 of this act;*

19 (c) *Must provide that the total amount of money which must be*
20 *paid by any county in any fiscal year to reimburse any amounts*
21 *owed to persons who use special fuel in motor vehicles operated or*
22 *intended to operate interstate must not exceed 20 percent of the*
23 *total amount of money collected by that county from any tax*
24 *imposed on special fuels pursuant to NRS 373.066 or section 1.3*
25 *of this act; and*

26 (d) *Must not apply to any tax imposed pursuant to NRS*
27 *373.066 during the term of any bonds outstanding on January 1,*
28 *2017, secured by those taxes or of any bonds that refund such*
29 *bonds provided that the term of the refunding bonds is not longer*
30 *than the term of the refunded bonds.*

31 2. *The Department shall charge and collect a fee in an*
32 *amount not to exceed \$100 for each request for reimbursement*
33 *filed by a person pursuant to the system established by the*
34 *Department pursuant to subsection 1. All money from the fees*
35 *collected by the Department pursuant to this subsection must be*
36 *deposited in the Local Fuel Tax Indexing Fund created by section*
37 *1.95 of this act.*

38 3. *The Department and a commission which has been created*
39 *in a county whose population is 700,000 or more and in which a*
40 *tax is imposed pursuant to section 1.3 of this act may enter into an*
41 *intergovernmental agreement or contract pursuant to which:*

42 (a) *The commission agrees to pay for the costs incurred by the*
43 *Department to establish the system pursuant to subsection 1 and*
44 *administer the system until the amount of money received by the*
45 *Department from the fees collected by the Department pursuant to*



* A B 4 1 3 R 3 *

1 *subsection 2 is sufficient to pay the costs incurred by the*
2 *Department to administer the system; and*

3 *(b) The Department agrees to reimburse the commission for*
4 *any money paid by the commission pursuant to paragraph (a)*
5 *from a portion of the money received by the Department from the*
6 *fees collected by the Department pursuant to subsection 2.*

7 *4. As used in this section, "special fuel" has the meaning*
8 *ascribed to it in NRS 366.060.*

9 **Sec. 1.95.** *1. The Local Fuel Tax Indexing Fund is hereby*
10 *created as an enterprise fund. The Department shall deposit in the*
11 *Fund all fees collected by the Department pursuant to subsection 2*
12 *of section 1.9 of this act. The Director of the Department shall*
13 *administer the Fund.*

14 *2. Money in the Fund must be invested as the money in other*
15 *state funds is invested. The interest and income earned on the*
16 *money in the Fund, after deducting any applicable charges, must*
17 *be credited to the Fund. Claims against the Fund must be paid as*
18 *other claims against the State are paid.*

19 *3. Money deposited in the Fund must only be expended:*

20 *(a) To administer the system established by the Department*
21 *pursuant to section 1.9 of this act; and*

22 *(b) To reimburse a commission for any amounts paid by the*
23 *commission pursuant to an intergovernmental agreement or*
24 *contract entered into pursuant to subsection 3 of section 1.9 of this*
25 *act.*

26 *4. The Director may maintain a reserve of not more than*
27 *\$500,000 in the Fund. The reserve must be accounted for*
28 *separately in the Fund and must only be expended to administer*
29 *the system established by the Department pursuant to section 1.9*
30 *of this act.*

31 *5. Any balance remaining in the Fund at the end of any fiscal*
32 *year:*

33 *(a) Does not revert to the State General Fund; and*

34 *(b) Must be carried forward to the next fiscal year.*

35 **Sec. 2.** NRS 373.067 is hereby amended to read as follows:

36 373.067 1. Any ordinance that imposes a tax pursuant to:

37 (a) The provisions of paragraph (a) of subsection 1 of NRS
38 373.066 *or paragraph (a) of subsection 1 of section 1.1 of this act*
39 must require the allocation, disbursement and use in the county of
40 the proceeds of that tax in the same proportions and manner as the
41 allocation, disbursement and use in the county of the proceeds of the
42 tax imposed pursuant to NRS 365.180.

43 (b) The provisions of paragraph (b) of subsection 1 of NRS
44 373.066 *or paragraph (b) of subsection 1 of section 1.1 of this act*
45 must require the allocation, disbursement and use in the county of



* A B 4 1 3 R 3 *

1 the proceeds of that tax in the same proportions and manner as the
2 allocation, disbursement and use in the county of the proceeds of the
3 tax imposed pursuant to NRS 365.190.

4 (c) The provisions of paragraph (c) of subsection 1 of NRS
5 373.066 *or paragraph (c) of subsection 1 of section 1.1 of this act*
6 must require the allocation, disbursement and use in the county of
7 the proceeds of that tax in the same proportions and manner as the
8 allocation, disbursement and use in the county of the proceeds of the
9 tax imposed pursuant to NRS 365.192.

10 (d) Any of the provisions of paragraphs (d) to (m), inclusive, of
11 subsection 1 of NRS 373.066 *or paragraphs (d) to (m), inclusive, of*
12 *subsection 1 of section 1.1 of this act* must, except as otherwise
13 required by subsection 6 of NRS 373.140, require the allocation,
14 disbursement and use in the county of the proceeds of that tax in the
15 same proportions and manner as the allocation, disbursement and
16 use in the county of the proceeds of the tax imposed pursuant to
17 NRS 373.030.

18 2. Any ordinance adopted pursuant to NRS 373.066 *or section*
19 *1.1 of this act* must:

20 (a) Include a provision prohibiting the imposition of any
21 penalties and interest for the failure to make any payments of any
22 tax imposed by the ordinance which become due within the initial 6
23 months after the ordinance becomes effective. This provision must
24 apply only to taxes imposed pursuant to NRS 373.066 *or section 1.1*
25 *of this act* and must not apply to any tax imposed pursuant to any
26 other ordinance.

27 (b) Require the commission:

28 (1) To review, at a public meeting conducted after the
29 provision of public notice and before the effective date of each
30 annual increase imposed by the ordinance:

31 (I) The amount of that increase and the accuracy of its
32 calculation;

33 (II) The amounts of any annual increases imposed by the
34 ordinance in previous years and the revenue collected pursuant to
35 those increases;

36 (III) Any improvements to the regional system of
37 transportation resulting from revenue collected pursuant to any
38 annual increases imposed by the ordinance in previous years; and

39 (IV) Any other information relevant to the effect of the
40 annual increases on the public; and

41 (2) To submit to the board any information the commission
42 receives suggesting that the annual increase should be adjusted.

43 **Sec. 2.3.** NRS 373.067 is hereby amended to read as follows:

44 373.067 1. Any ordinance that imposes a tax pursuant to:



* A B 4 1 3 R 3 *

(a) The provisions of paragraph (a) of subsection 1 of NRS 373.066 , *paragraph (a) of subsection 1 of section 1.1 of this act or paragraph (a) of subsection 1 of section 1.3 of this act* must require the allocation, disbursement and use in the county of the proceeds of that tax in the same proportions and manner as the allocation, disbursement and use in the county of the proceeds of the tax imposed pursuant to NRS 365.180.

(b) The provisions of paragraph (b) of subsection 1 of NRS 373.066 , *paragraph (b) of subsection 1 of section 1.1 of this act or paragraph (b) of subsection 1 of section 1.3 of this act* must require the allocation, disbursement and use in the county of the proceeds of that tax in the same proportions and manner as the allocation, disbursement and use in the county of the proceeds of the tax imposed pursuant to NRS 365.190.

(c) The provisions of paragraph (c) of subsection 1 of NRS 373.066 , *paragraph (c) of subsection 1 of section 1.1 of this act or paragraph (c) of subsection 1 of section 1.3 of this act* must require the allocation, disbursement and use in the county of the proceeds of that tax in the same proportions and manner as the allocation, disbursement and use in the county of the proceeds of the tax imposed pursuant to NRS 365.192.

(d) Any of the provisions of paragraphs (d) to (m), inclusive, of subsection 1 of NRS 373.066 , *paragraphs (d) to (m), inclusive, of subsection 1 of section 1.1 of this act or paragraphs (d) to (h), inclusive, of subsection 1 of section 1.3 of this act* must, except as otherwise required by subsection 6 of NRS 373.140, require the allocation, disbursement and use in the county of the proceeds of that tax in the same proportions and manner as the allocation, disbursement and use in the county of the proceeds of the tax imposed pursuant to NRS 373.030.

2. Any ordinance adopted pursuant to NRS 373.066 *or section 1.1 or 1.3 of this act* must:

(a) Include a provision prohibiting the imposition of any penalties and interest for the failure to make any payments of any tax imposed by the ordinance which become due within the initial 6 months after the ordinance becomes effective. This provision must apply only to taxes imposed pursuant to NRS 373.066 *or section 1.1 or 1.3 of this act* and must not apply to any tax imposed pursuant to any other ordinance.

(b) Require the commission:

(1) To review, at a public meeting conducted after the provision of public notice and before the effective date of each annual increase imposed by the ordinance:

(I) The amount of that increase and the accuracy of its calculation;



(II) The amounts of any annual increases imposed by the ordinance in previous years and the revenue collected pursuant to those increases;

(III) Any improvements to the regional system of transportation resulting from revenue collected pursuant to any annual increases imposed by the ordinance in previous years; and

(IV) Any other information relevant to the effect of the annual increases on the public; and

(2) To submit to the board any information the commission receives suggesting that the annual increase should be adjusted.

Sec. 2.7. NRS 373.067 is hereby amended to read as follows:

373.067 1. Any ordinance that imposes a tax pursuant to:

(a) The provisions of paragraph (a) of subsection 1 of NRS 373.066 *or paragraph (a) of subsection 1 of section 1.3 of this act* must require the allocation, disbursement and use in the county of the proceeds of that tax in the same proportions and manner as the allocation, disbursement and use in the county of the proceeds of the tax imposed pursuant to NRS 365.180.

(b) The provisions of paragraph (b) of subsection 1 of NRS 373.066 *or paragraph (b) of subsection 1 of section 1.3 of this act* must require the allocation, disbursement and use in the county of the proceeds of that tax in the same proportions and manner as the allocation, disbursement and use in the county of the proceeds of the tax imposed pursuant to NRS 365.190.

(c) The provisions of paragraph (c) of subsection 1 of NRS 373.066 *or paragraph (c) of subsection 1 of section 1.3 of this act* must require the allocation, disbursement and use in the county of the proceeds of that tax in the same proportions and manner as the allocation, disbursement and use in the county of the proceeds of the tax imposed pursuant to NRS 365.192.

(d) Any of the provisions of paragraphs (d) to (m), inclusive, of subsection 1 of NRS 373.066 *or paragraphs (d) to (h), inclusive, of subsection 1 of section 1.3 of this act* must, except as otherwise required by subsection 6 of NRS 373.140, require the allocation, disbursement and use in the county of the proceeds of that tax in the same proportions and manner as the allocation, disbursement and use in the county of the proceeds of the tax imposed pursuant to NRS 373.030.

2. Any ordinance adopted pursuant to NRS 373.066 *or section 1.3 of this act* must:

(a) Include a provision prohibiting the imposition of any penalties and interest for the failure to make any payments of any tax imposed by the ordinance which become due within the initial 6 months after the ordinance becomes effective. This provision must apply only to taxes imposed pursuant to NRS 373.066 *or section 1.3*



* A B 4 1 3 R 3 *

1 *of this act* and must not apply to any tax imposed pursuant to any
2 other ordinance.

3 (b) Require the commission:

4 (1) To review, at a public meeting conducted after the
5 provision of public notice and before the effective date of each
6 annual increase imposed by the ordinance:

7 (I) The amount of that increase and the accuracy of its
8 calculation;

9 (II) The amounts of any annual increases imposed by the
10 ordinance in previous years and the revenue collected pursuant to
11 those increases;

12 (III) Any improvements to the regional system of
13 transportation resulting from revenue collected pursuant to any
14 annual increases imposed by the ordinance in previous years; and

15 (IV) Any other information relevant to the effect of the
16 annual increases on the public; and

17 (2) To submit to the board any information the commission
18 receives suggesting that the annual increase should be adjusted.

19 **Sec. 3.** NRS 373.068 is hereby amended to read as follows:

20 373.068 1. Any tax imposed pursuant to the provisions of:

21 (a) Paragraphs (a) to (f), inclusive, of subsection 1 of NRS
22 373.066 *or paragraphs (a) to (f), inclusive, of subsection 1 of*
23 *section 1.1 of this act* does not apply to any fuel described in NRS
24 365.220 or 365.230.

25 (b) Paragraphs (g) to (m), inclusive, of subsection 1 of NRS
26 373.066 *or paragraphs (g) to (m), inclusive, of subsection 1 of*
27 *section 1.1 of this act* does not apply to any sales or uses described
28 in NRS 366.200, except to any sales or uses described in subsection
29 1 of that section of any special fuel to which dye has not been added
30 pursuant to federal law or the law of this State, of a type which is
31 lawfully sold in this State both:

32 (1) As special fuel to which dye has been added pursuant to
33 such law; and

34 (2) As special fuel to which dye has not been added pursuant
35 to such law.

36 2. Each tax imposed pursuant to NRS 373.066 *or section 1.1 of*
37 *this act* is in addition to any other motor vehicle fuel taxes and
38 special fuel taxes imposed pursuant to the provisions of this chapter
39 and chapters 365, 366 and 590 of NRS, except that on the effective
40 date of an ordinance adopted pursuant to:

41 (a) Paragraph (a) of subsection 1 of NRS 373.066, any tax
42 increase imposed in that county pursuant to subparagraph (2) of
43 paragraph (a) of subsection 1 of NRS 373.065 on the first day of the
44 current fiscal year, and the authority to impose any additional tax



1 increases in that county pursuant to that subparagraph on the first
2 day of each subsequent fiscal year, expire by limitation.

3 (b) Paragraph (b) of subsection 1 of NRS 373.066, any tax
4 increase imposed in that county pursuant to subparagraph (2) of
5 paragraph (b) of subsection 1 of NRS 373.065 on the first day of the
6 current fiscal year, and the authority to impose any additional tax
7 increases in that county pursuant to that subparagraph on the first
8 day of each subsequent fiscal year, expire by limitation.

9 (c) Paragraph (c) of subsection 1 of NRS 373.066, any tax
10 increase imposed in that county pursuant to subparagraph (2) of
11 paragraph (c) of subsection 1 of NRS 373.065 on the first day of the
12 current fiscal year, and the authority to impose any additional tax
13 increases in that county pursuant to that subparagraph on the first
14 day of each subsequent fiscal year, expire by limitation.

15 (d) Paragraph (d) of subsection 1 of NRS 373.066, any tax
16 increase imposed in that county pursuant to subparagraph (2) of
17 paragraph (d) of subsection 1 of NRS 373.065 on the first day of the
18 current fiscal year, and the authority to impose any additional tax
19 increases in that county pursuant to that subparagraph on the first
20 day of each subsequent fiscal year, expire by limitation.

21 **Sec. 3.1.** NRS 373.068 is hereby amended to read as follows:

22 373.068 1. Any tax imposed pursuant to the provisions of:

23 (a) Paragraphs (a) to (f), inclusive, of subsection 1 of NRS
24 373.066 , *paragraphs (a) to (f), inclusive, of subsection 1 of section*
25 *1.1 of this act, paragraph (a) of subsection 1 of section 1.2 of this*
26 *act or paragraphs (a) to (e), inclusive, of subsection 1 of section*
27 *1.3 of this act* does not apply to any fuel described in NRS 365.220
28 or 365.230.

29 (b) Paragraphs (g) to (m), inclusive, of subsection 1 of NRS
30 373.066 , *paragraphs (g) to (m), inclusive, of subsection 1 of*
31 *section 1.1 of this act, paragraphs (b) to (e), inclusive, of*
32 *subsection 1 of section 1.2 of this act or paragraphs (f), (g) and (h)*
33 *of subsection 1 of section 1.3 of this act* does not apply to any sales
34 or uses described in NRS 366.200, except to any sales or uses
35 described in subsection 1 of that section of any special fuel to which
36 dye has not been added pursuant to federal law or the law of this
37 State, of a type which is lawfully sold in this State both:

38 (1) As special fuel to which dye has been added pursuant to
39 such law; and

40 (2) As special fuel to which dye has not been added pursuant
41 to such law.

42 2. Each tax imposed pursuant to NRS 373.066 *or section 1.1,*
43 *1.2 or 1.3 of this act* is in addition to any other motor vehicle fuel
44 taxes and special fuel taxes imposed pursuant to the provisions of



1 this chapter and chapters 365, 366 and 590 of NRS, except that on
2 the effective date of an ordinance adopted pursuant to:

3 (a) Paragraph (a) of subsection 1 of NRS 373.066, any tax
4 increase imposed in that county pursuant to subparagraph (2) of
5 paragraph (a) of subsection 1 of NRS 373.065 on the first day of the
6 current fiscal year, and the authority to impose any additional tax
7 increases in that county pursuant to that subparagraph on the first
8 day of each subsequent fiscal year, expire by limitation.

9 (b) Paragraph (b) of subsection 1 of NRS 373.066, any tax
10 increase imposed in that county pursuant to subparagraph (2) of
11 paragraph (b) of subsection 1 of NRS 373.065 on the first day of the
12 current fiscal year, and the authority to impose any additional tax
13 increases in that county pursuant to that subparagraph on the first
14 day of each subsequent fiscal year, expire by limitation.

15 (c) Paragraph (c) of subsection 1 of NRS 373.066, any tax
16 increase imposed in that county pursuant to subparagraph (2) of
17 paragraph (c) of subsection 1 of NRS 373.065 on the first day of the
18 current fiscal year, and the authority to impose any additional tax
19 increases in that county pursuant to that subparagraph on the first
20 day of each subsequent fiscal year, expire by limitation.

21 (d) Paragraph (d) of subsection 1 of NRS 373.066, any tax
22 increase imposed in that county pursuant to subparagraph (2) of
23 paragraph (d) of subsection 1 of NRS 373.065 on the first day of the
24 current fiscal year, and the authority to impose any additional tax
25 increases in that county pursuant to that subparagraph on the first
26 day of each subsequent fiscal year, expire by limitation.

27 **Sec. 3.2.** NRS 373.068 is hereby amended to read as follows:

28 373.068 1. Any tax imposed pursuant to the provisions of:

29 (a) Paragraphs (a) to (f), inclusive, of subsection 1 of NRS
30 373.066 , *paragraphs (a) to (f), inclusive, of subsection 1 of section*
31 *1.1 of this act or paragraph (a) of subsection 1 of section 1.2 of*
32 *this act* does not apply to any fuel described in NRS 365.220 or
33 365.230.

34 (b) Paragraphs (g) to (m), inclusive, of subsection 1 of NRS
35 373.066 , *paragraphs (g) to (m), inclusive, of subsection 1 of*
36 *section 1.1 of this act or paragraphs (b) to (e), inclusive, of*
37 *subsection 1 of section 1.2 of this act* does not apply to any sales or
38 uses described in NRS 366.200, except to any sales or uses
39 described in subsection 1 of that section of any special fuel to which
40 dye has not been added pursuant to federal law or the law of this
41 State, of a type which is lawfully sold in this State both:

42 (1) As special fuel to which dye has been added pursuant to
43 such law; and

44 (2) As special fuel to which dye has not been added pursuant
45 to such law.



* A B 4 1 3 R 3 *

2. Each tax imposed pursuant to NRS 373.066 *or section 1.1 or 1.2 of this act* is in addition to any other motor vehicle fuel taxes and special fuel taxes imposed pursuant to the provisions of this chapter and chapters 365, 366 and 590 of NRS, except that on the effective date of an ordinance adopted pursuant to:

(a) Paragraph (a) of subsection 1 of NRS 373.066, any tax increase imposed in that county pursuant to subparagraph (2) of paragraph (a) of subsection 1 of NRS 373.065 on the first day of the current fiscal year, and the authority to impose any additional tax increases in that county pursuant to that subparagraph on the first day of each subsequent fiscal year, expire by limitation.

(b) Paragraph (b) of subsection 1 of NRS 373.066, any tax increase imposed in that county pursuant to subparagraph (2) of paragraph (b) of subsection 1 of NRS 373.065 on the first day of the current fiscal year, and the authority to impose any additional tax increases in that county pursuant to that subparagraph on the first day of each subsequent fiscal year, expire by limitation.

(c) Paragraph (c) of subsection 1 of NRS 373.066, any tax increase imposed in that county pursuant to subparagraph (2) of paragraph (c) of subsection 1 of NRS 373.065 on the first day of the current fiscal year, and the authority to impose any additional tax increases in that county pursuant to that subparagraph on the first day of each subsequent fiscal year, expire by limitation.

(d) Paragraph (d) of subsection 1 of NRS 373.066, any tax increase imposed in that county pursuant to subparagraph (2) of paragraph (d) of subsection 1 of NRS 373.065 on the first day of the current fiscal year, and the authority to impose any additional tax increases in that county pursuant to that subparagraph on the first day of each subsequent fiscal year, expire by limitation.

Sec. 3.3. NRS 373.068 is hereby amended to read as follows:

373.068 1. Any tax imposed pursuant to the provisions of:

(a) Paragraphs (a) to (f), inclusive, of subsection 1 of NRS 373.066, *paragraphs (a) to (f), inclusive, of subsection 1 of section 1.1 of this act or paragraphs (a) to (e), inclusive, of subsection 1 of section 1.3 of this act* does not apply to any fuel described in NRS 365.220 or 365.230.

(b) Paragraphs (g) to (m), inclusive, of subsection 1 of NRS 373.066, *paragraphs (g) to (m), inclusive, of subsection 1 of section 1.1 of this act or paragraphs (f), (g) and (h) of subsection 1 of section 1.3 of this act* does not apply to any sales or uses described in NRS 366.200, except to any sales or uses described in subsection 1 of that section of any special fuel to which dye has not been added pursuant to federal law or the law of this State, of a type which is lawfully sold in this State both:



(1) As special fuel to which dye has been added pursuant to such law; and

(2) As special fuel to which dye has not been added pursuant to such law.

2. Each tax imposed pursuant to NRS 373.066 *or section 1.1 or 1.3 of this act* is in addition to any other motor vehicle fuel taxes and special fuel taxes imposed pursuant to the provisions of this chapter and chapters 365, 366 and 590 of NRS, except that on the effective date of an ordinance adopted pursuant to:

(a) Paragraph (a) of subsection 1 of NRS 373.066, any tax increase imposed in that county pursuant to subparagraph (2) of paragraph (a) of subsection 1 of NRS 373.065 on the first day of the current fiscal year, and the authority to impose any additional tax increases in that county pursuant to that subparagraph on the first day of each subsequent fiscal year, expire by limitation.

(b) Paragraph (b) of subsection 1 of NRS 373.066, any tax increase imposed in that county pursuant to subparagraph (2) of paragraph (b) of subsection 1 of NRS 373.065 on the first day of the current fiscal year, and the authority to impose any additional tax increases in that county pursuant to that subparagraph on the first day of each subsequent fiscal year, expire by limitation.

(c) Paragraph (c) of subsection 1 of NRS 373.066, any tax increase imposed in that county pursuant to subparagraph (2) of paragraph (c) of subsection 1 of NRS 373.065 on the first day of the current fiscal year, and the authority to impose any additional tax increases in that county pursuant to that subparagraph on the first day of each subsequent fiscal year, expire by limitation.

(d) Paragraph (d) of subsection 1 of NRS 373.066, any tax increase imposed in that county pursuant to subparagraph (2) of paragraph (d) of subsection 1 of NRS 373.065 on the first day of the current fiscal year, and the authority to impose any additional tax increases in that county pursuant to that subparagraph on the first day of each subsequent fiscal year, expire by limitation.

Sec. 3.5. NRS 373.068 is hereby amended to read as follows:

373.068 1. Any tax imposed pursuant to the provisions of:

(a) Paragraphs (a) to (f), inclusive, of subsection 1 of NRS 373.066, *paragraph (a) of subsection 1 of section 1.2 of this act or paragraphs (a) to (e), inclusive, of subsection 1 of section 1.3 of this act* does not apply to any fuel described in NRS 365.220 or 365.230.

(b) Paragraphs (g) to (m), inclusive, of subsection 1 of NRS 373.066, *paragraphs (b) to (e), inclusive, of subsection 1 of section 1.2 of this act or paragraphs (f), (g) and (h) of subsection 1 of section 1.3 of this act* does not apply to any sales or uses described in NRS 366.200, except to any sales or uses described in



* A B 4 1 3 R 3 *

1 subsection 1 of that section of any special fuel to which dye has not
2 been added pursuant to federal law or the law of this State, of a type
3 which is lawfully sold in this State both:

4 (1) As special fuel to which dye has been added pursuant to
5 such law; and

6 (2) As special fuel to which dye has not been added pursuant
7 to such law.

8 2. Each tax imposed pursuant to NRS 373.066 *or section 1.2 or*
9 *1.3 of this act* is in addition to any other motor vehicle fuel taxes
10 and special fuel taxes imposed pursuant to the provisions of this
11 chapter and chapters 365, 366 and 590 of NRS, except that on the
12 effective date of an ordinance adopted pursuant to:

13 (a) Paragraph (a) of subsection 1 of NRS 373.066, any tax
14 increase imposed in that county pursuant to subparagraph (2) of
15 paragraph (a) of subsection 1 of NRS 373.065 on the first day of the
16 current fiscal year, and the authority to impose any additional tax
17 increases in that county pursuant to that subparagraph on the first
18 day of each subsequent fiscal year, expire by limitation.

19 (b) Paragraph (b) of subsection 1 of NRS 373.066, any tax
20 increase imposed in that county pursuant to subparagraph (2) of
21 paragraph (b) of subsection 1 of NRS 373.065 on the first day of the
22 current fiscal year, and the authority to impose any additional tax
23 increases in that county pursuant to that subparagraph on the first
24 day of each subsequent fiscal year, expire by limitation.

25 (c) Paragraph (c) of subsection 1 of NRS 373.066, any tax
26 increase imposed in that county pursuant to subparagraph (2) of
27 paragraph (c) of subsection 1 of NRS 373.065 on the first day of the
28 current fiscal year, and the authority to impose any additional tax
29 increases in that county pursuant to that subparagraph on the first
30 day of each subsequent fiscal year, expire by limitation.

31 (d) Paragraph (d) of subsection 1 of NRS 373.066, any tax
32 increase imposed in that county pursuant to subparagraph (2) of
33 paragraph (d) of subsection 1 of NRS 373.065 on the first day of the
34 current fiscal year, and the authority to impose any additional tax
35 increases in that county pursuant to that subparagraph on the first
36 day of each subsequent fiscal year, expire by limitation.

37 **Sec. 3.7.** NRS 373.068 is hereby amended to read as follows:

38 373.068 1. Any tax imposed pursuant to the provisions of:

39 (a) Paragraphs (a) to (f), inclusive, of subsection 1 of NRS
40 373.066 *or paragraph (a) of subsection 1 of section 1.2 of this act*
41 does not apply to any fuel described in NRS 365.220 or 365.230.

42 (b) Paragraphs (g) to (m), inclusive, of subsection 1 of NRS
43 373.066 *or paragraphs (b) to (e), inclusive, of subsection 1 of*
44 *section 1.2 of this act* does not apply to any sales or uses described
45 in NRS 366.200, except to any sales or uses described in subsection



* A B 4 1 3 R 3 *

1 1 of that section of any special fuel to which dye has not been added
2 pursuant to federal law or the law of this State, of a type which is
3 lawfully sold in this State both:

4 (1) As special fuel to which dye has been added pursuant to
5 such law; and

6 (2) As special fuel to which dye has not been added pursuant
7 to such law.

8 2. Each tax imposed pursuant to NRS 373.066 *or section 1.2 of*
9 *this act* is in addition to any other motor vehicle fuel taxes and
10 special fuel taxes imposed pursuant to the provisions of this chapter
11 and chapters 365, 366 and 590 of NRS, except that on the effective
12 date of an ordinance adopted pursuant to:

13 (a) Paragraph (a) of subsection 1 of NRS 373.066, any tax
14 increase imposed in that county pursuant to subparagraph (2) of
15 paragraph (a) of subsection 1 of NRS 373.065 on the first day of the
16 current fiscal year, and the authority to impose any additional tax
17 increases in that county pursuant to that subparagraph on the first
18 day of each subsequent fiscal year, expire by limitation.

19 (b) Paragraph (b) of subsection 1 of NRS 373.066, any tax
20 increase imposed in that county pursuant to subparagraph (2) of
21 paragraph (b) of subsection 1 of NRS 373.065 on the first day of the
22 current fiscal year, and the authority to impose any additional tax
23 increases in that county pursuant to that subparagraph on the first
24 day of each subsequent fiscal year, expire by limitation.

25 (c) Paragraph (c) of subsection 1 of NRS 373.066, any tax
26 increase imposed in that county pursuant to subparagraph (2) of
27 paragraph (c) of subsection 1 of NRS 373.065 on the first day of the
28 current fiscal year, and the authority to impose any additional tax
29 increases in that county pursuant to that subparagraph on the first
30 day of each subsequent fiscal year, expire by limitation.

31 (d) Paragraph (d) of subsection 1 of NRS 373.066, any tax
32 increase imposed in that county pursuant to subparagraph (2) of
33 paragraph (d) of subsection 1 of NRS 373.065 on the first day of the
34 current fiscal year, and the authority to impose any additional tax
35 increases in that county pursuant to that subparagraph on the first
36 day of each subsequent fiscal year, expire by limitation.

37 **Sec. 3.9.** NRS 373.068 is hereby amended to read as follows:

38 373.068 1. Any tax imposed pursuant to the provisions of:

39 (a) Paragraphs (a) to (f), inclusive, of subsection 1 of NRS
40 373.066 *or paragraphs (a) to (e), inclusive, of subsection 1 of*
41 *section 1.3 of this act* does not apply to any fuel described in NRS
42 365.220 or 365.230.

43 (b) Paragraphs (g) to (m), inclusive, of subsection 1 of NRS
44 373.066 *or paragraphs (f), (g) and (h) of subsection 1 of section*
45 *1.3 of this act* does not apply to any sales or uses described in



* A B 4 1 3 R 3 *

1 NRS 366.200, except to any sales or uses described in subsection 1
2 of that section of any special fuel to which dye has not been added
3 pursuant to federal law or the law of this State, of a type which is
4 lawfully sold in this State both:

5 (1) As special fuel to which dye has been added pursuant to
6 such law; and

7 (2) As special fuel to which dye has not been added pursuant
8 to such law.

9 2. Each tax imposed pursuant to NRS 373.066 *or section 1.3 of*
10 *this act* is in addition to any other motor vehicle fuel taxes and
11 special fuel taxes imposed pursuant to the provisions of this chapter
12 and chapters 365, 366 and 590 of NRS, except that on the effective
13 date of an ordinance adopted pursuant to:

14 (a) Paragraph (a) of subsection 1 of NRS 373.066, any tax
15 increase imposed in that county pursuant to subparagraph (2) of
16 paragraph (a) of subsection 1 of NRS 373.065 on the first day of the
17 current fiscal year, and the authority to impose any additional tax
18 increases in that county pursuant to that subparagraph on the first
19 day of each subsequent fiscal year, expire by limitation.

20 (b) Paragraph (b) of subsection 1 of NRS 373.066, any tax
21 increase imposed in that county pursuant to subparagraph (2) of
22 paragraph (b) of subsection 1 of NRS 373.065 on the first day of the
23 current fiscal year, and the authority to impose any additional tax
24 increases in that county pursuant to that subparagraph on the first
25 day of each subsequent fiscal year, expire by limitation.

26 (c) Paragraph (c) of subsection 1 of NRS 373.066, any tax
27 increase imposed in that county pursuant to subparagraph (2) of
28 paragraph (c) of subsection 1 of NRS 373.065 on the first day of the
29 current fiscal year, and the authority to impose any additional tax
30 increases in that county pursuant to that subparagraph on the first
31 day of each subsequent fiscal year, expire by limitation.

32 (d) Paragraph (d) of subsection 1 of NRS 373.066, any tax
33 increase imposed in that county pursuant to subparagraph (2) of
34 paragraph (d) of subsection 1 of NRS 373.065 on the first day of the
35 current fiscal year, and the authority to impose any additional tax
36 increases in that county pursuant to that subparagraph on the first
37 day of each subsequent fiscal year, expire by limitation.

38 **Sec. 4.** NRS 373.070 is hereby amended to read as follows:

39 373.070 1. Any fuel tax ordinance enacted under this chapter
40 must include provisions in substance as follows:

41 (a) A provision imposing the additional excise tax and stating
42 the amount of the tax per gallon of fuel.

43 (b) If the ordinance imposes a tax on motor vehicle fuel:



* A B 4 1 3 R 3 *

(1) Provisions identical to those contained in chapter 365 of NRS on the date of enactment of the ordinance, insofar as applicable, except that:

(I) The name of the county as taxing agency must be substituted for that of the State; and

(II) An additional supplier's license is not required.

(2) A provision that all amendments to chapter 365 of NRS subsequent to the date of enactment of the ordinance, not inconsistent with this chapter, automatically become a part of the motor vehicle fuel tax ordinance of the county.

(c) If the ordinance imposes a tax on special fuel:

(1) Provisions identical to those contained in chapter 366 of NRS on the date of enactment of the ordinance, insofar as applicable and not inconsistent with this chapter, except that:

(I) The name of the county as taxing agency must be substituted for that of the State;

(II) An additional special fuel supplier's license is not required;

(III) The ordinance must not include any provisions identical to NRS 366.175 other than the provisions relating to auditing; and

(IV) The ordinance must include provisions which carry out the requirements of paragraph (b) of subsection 1 of NRS 373.068 and which prohibit the refund of any tax paid on any taxable sales or uses described in that paragraph.

(2) A provision that all amendments to chapter 366 of NRS subsequent to the date of enactment of the ordinance, not inconsistent with this chapter, automatically become a part of the special fuel tax ordinance of the county.

(d) A provision that the county shall contract before the effective date of the county fuel tax ordinance with the Department to perform all functions incident to the administration or operation of the fuel tax ordinance of the county, including, if the ordinance is enacted pursuant to NRS 373.065 or 373.066, *or section 1.1 of this act*, the calculation of each annual increase in the tax imposed pursuant to the ordinance.

2. The provisions of this section do not subject any county fuel taxes imposed pursuant to this chapter to the provisions of NRS 366.175 or any agreement made pursuant thereto, except for those provisions of NRS 366.175 and any agreement made pursuant thereto which relate to auditing. The administration, collection and distribution of any county fuel taxes imposed pursuant to this chapter do not affect, and are not affected by, the administration, collection and distribution of any fuel taxes under any agreement made pursuant to NRS 366.175.



Sec. 4.3. NRS 373.070 is hereby amended to read as follows:

373.070 1. Any fuel tax ordinance enacted under this chapter must include provisions in substance as follows:

(a) A provision imposing the additional excise tax and stating the amount of the tax per gallon of fuel.

(b) If the ordinance imposes a tax on motor vehicle fuel:

(1) Provisions identical to those contained in chapter 365 of NRS on the date of enactment of the ordinance, insofar as applicable, except that:

(I) The name of the county as taxing agency must be substituted for that of the State; and

(II) An additional supplier's license is not required.

(2) A provision that all amendments to chapter 365 of NRS subsequent to the date of enactment of the ordinance, not inconsistent with this chapter, automatically become a part of the motor vehicle fuel tax ordinance of the county.

(c) If the ordinance imposes a tax on special fuel:

(1) Provisions identical to those contained in chapter 366 of NRS on the date of enactment of the ordinance, insofar as applicable and not inconsistent with this chapter, except that:

(I) The name of the county as taxing agency must be substituted for that of the State;

(II) An additional special fuel supplier's license is not required;

(III) The ordinance must not include any provisions identical to NRS 366.175 other than the provisions relating to auditing; and

(IV) The ordinance must include provisions which carry out the requirements of paragraph (b) of subsection 1 of NRS 373.068 and which prohibit the refund of any tax paid on any taxable sales or uses described in that paragraph.

(2) A provision that all amendments to chapter 366 of NRS subsequent to the date of enactment of the ordinance, not inconsistent with this chapter, automatically become a part of the special fuel tax ordinance of the county.

(d) A provision that the county shall contract before the effective date of the county fuel tax ordinance with the Department to perform all functions incident to the administration or operation of the fuel tax ordinance of the county, including, if the ordinance is enacted pursuant to NRS 373.065 or 373.066, *or section 1.1 or 1.3 of this act*, the calculation of each annual increase in the tax imposed pursuant to the ordinance.

2. The provisions of this section do not subject any county fuel taxes imposed pursuant to this chapter to the provisions of NRS 366.175 or any agreement made pursuant thereto, except for those



* A B 4 1 3 R 3 *

1 provisions of NRS 366.175 and any agreement made pursuant
2 thereto which relate to auditing. The administration, collection and
3 distribution of any county fuel taxes imposed pursuant to this
4 chapter do not affect, and are not affected by, the administration,
5 collection and distribution of any fuel taxes under any agreement
6 made pursuant to NRS 366.175.

7 **Sec. 4.7.** NRS 373.070 is hereby amended to read as follows:

8 373.070 1. Any fuel tax ordinance enacted under this chapter
9 must include provisions in substance as follows:

10 (a) A provision imposing the additional excise tax and stating
11 the amount of the tax per gallon of fuel.

12 (b) If the ordinance imposes a tax on motor vehicle fuel:

13 (1) Provisions identical to those contained in chapter 365 of
14 NRS on the date of enactment of the ordinance, insofar as
15 applicable, except that:

16 (I) The name of the county as taxing agency must be
17 substituted for that of the State; and

18 (II) An additional supplier's license is not required.

19 (2) A provision that all amendments to chapter 365 of NRS
20 subsequent to the date of enactment of the ordinance, not
21 inconsistent with this chapter, automatically become a part of the
22 motor vehicle fuel tax ordinance of the county.

23 (c) If the ordinance imposes a tax on special fuel:

24 (1) Provisions identical to those contained in chapter 366 of
25 NRS on the date of enactment of the ordinance, insofar as applicable
26 and not inconsistent with this chapter, except that:

27 (I) The name of the county as taxing agency must be
28 substituted for that of the State;

29 (II) An additional special fuel supplier's license is not
30 required;

31 (III) The ordinance must not include any provisions
32 identical to NRS 366.175 other than the provisions relating to
33 auditing; and

34 (IV) The ordinance must include provisions which carry
35 out the requirements of paragraph (b) of subsection 1 of NRS
36 373.068 and which prohibit the refund of any tax paid on any
37 taxable sales or uses described in that paragraph.

38 (2) A provision that all amendments to chapter 366 of NRS
39 subsequent to the date of enactment of the ordinance, not
40 inconsistent with this chapter, automatically become a part of the
41 special fuel tax ordinance of the county.

42 (d) A provision that the county shall contract before the
43 effective date of the county fuel tax ordinance with the Department
44 to perform all functions incident to the administration or operation
45 of the fuel tax ordinance of the county, including, if the ordinance is



* A B 4 1 3 R 3 *

1 enacted pursuant to NRS 373.065 or 373.066, *or section 1.3 of this*
2 *act*, the calculation of each annual increase in the tax imposed
3 pursuant to the ordinance.

4 2. The provisions of this section do not subject any county fuel
5 taxes imposed pursuant to this chapter to the provisions of NRS
6 366.175 or any agreement made pursuant thereto, except for those
7 provisions of NRS 366.175 and any agreement made pursuant
8 thereto which relate to auditing. The administration, collection and
9 distribution of any county fuel taxes imposed pursuant to this
10 chapter do not affect, and are not affected by, the administration,
11 collection and distribution of any fuel taxes under any agreement
12 made pursuant to NRS 366.175.

13 **Sec. 5.** NRS 373.080 is hereby amended to read as follows:

14 373.080 All fuel taxes collected during any month by the
15 Department pursuant to a contract with a county must be transmitted
16 each month by the Department to the county and the Department
17 shall, in accordance with the terms of the contract, charge the county
18 for the Department's services specified in this section and in NRS
19 373.070, except that in the case of a fuel tax imposed pursuant to
20 NRS 373.065 or 373.066, *or section 1.1 of this act*, the charge must
21 not exceed 1 percent of the tax collected by the Department.

22 **Sec. 5.3.** NRS 373.080 is hereby amended to read as follows:

23 373.080 All fuel taxes collected during any month by the
24 Department pursuant to a contract with a county must be transmitted
25 each month by the Department to the county and the Department
26 shall, in accordance with the terms of the contract, charge the county
27 for the Department's services specified in this section and in NRS
28 373.070, except that in the case of a fuel tax imposed pursuant to
29 NRS 373.065 or 373.066, *or section 1.1 or 1.3 of this act*, the
30 charge must not exceed 1 percent of the tax collected by the
31 Department.

32 **Sec. 5.7.** NRS 373.080 is hereby amended to read as follows:

33 373.080 All fuel taxes collected during any month by the
34 Department pursuant to a contract with a county must be transmitted
35 each month by the Department to the county and the Department
36 shall, in accordance with the terms of the contract, charge the county
37 for the Department's services specified in this section and in NRS
38 373.070, except that in the case of a fuel tax imposed pursuant to
39 NRS 373.065 or 373.066, *or section 1.3 of this act*, the charge must
40 not exceed 1 percent of the tax collected by the Department.

41 **Sec. 6.** NRS 373.110 is hereby amended to read as follows:

42 373.110 All the net proceeds of any county fuel tax:

43 1. Imposed pursuant to the provisions of NRS 373.030,
44 paragraph (d) of subsection 1 of NRS 373.065 or paragraphs (d) to
45 (m), inclusive, of subsection 1 of NRS 373.066 *or paragraphs (d) to*



* A B 4 1 3 R 3 *

1 *(m), inclusive, of subsection 1 of section 1.1 of this act* which are
2 received by the county pursuant to NRS 373.080 must, except as
3 otherwise provided in NRS 373.119, be deposited by the county
4 treasurer in a fund to be known as the regional street and highway
5 fund in the county treasury, and disbursed only in accordance with
6 the provisions of this chapter and chapter 277A of NRS. After
7 July 1, 1975, the regional street and highway fund must be
8 accounted for as a separate fund and not as a part of any other fund.

9 2. Imposed pursuant to the provisions of paragraph (a), (b) or
10 (c) of subsection 1 of NRS 373.065 or paragraph (a), (b) or (c) of
11 subsection 1 of NRS 373.066 *or paragraph (a), (b) or (c) of*
12 *subsection 1 of section 1.1 of this act* which are received by the
13 county pursuant to NRS 373.080 must be allocated, disbursed and
14 used as provided in the ordinance imposing the tax.

15 **Sec. 6.3.** NRS 373.110 is hereby amended to read as follows:

16 373.110 All the net proceeds of any county fuel tax:

17 1. Imposed pursuant to the provisions of NRS 373.030,
18 paragraph (d) of subsection 1 of NRS 373.065 , ~~to~~ paragraphs (d)
19 to (m), inclusive, of subsection 1 of NRS 373.066 , *paragraphs (d)*
20 *to (m), inclusive, of subsection 1 of section 1.1 of this act or*
21 *paragraphs (d) to (h), inclusive, of subsection 1 of section 1.3 of*
22 *this act* which are received by the county pursuant to NRS 373.080
23 must, except as otherwise provided in NRS 373.119, be deposited
24 by the county treasurer in a fund to be known as the regional street
25 and highway fund in the county treasury, and disbursed only in
26 accordance with the provisions of this chapter and chapter 277A of
27 NRS. After July 1, 1975, the regional street and highway fund must
28 be accounted for as a separate fund and not as a part of any other
29 fund.

30 2. Imposed pursuant to the provisions of paragraph (a), (b) or
31 (c) of subsection 1 of NRS 373.065 , ~~to~~ paragraph (a), (b) or (c) of
32 subsection 1 of NRS 373.066 , *paragraph (a), (b) or (c) of*
33 *subsection 1 of section 1.1 of this act or paragraph (a), (b) or (c) of*
34 *subsection 1 of section 1.3 of this act* which are received by the
35 county pursuant to NRS 373.080 must be allocated, disbursed and
36 used as provided in the ordinance imposing the tax.

37 **Sec. 6.7.** NRS 373.110 is hereby amended to read as follows:

38 373.110 All the net proceeds of any county fuel tax:

39 1. Imposed pursuant to the provisions of NRS 373.030,
40 paragraph (d) of subsection 1 of NRS 373.065 or paragraphs (d) to
41 (m), inclusive, of subsection 1 of NRS 373.066 *or paragraphs (d) to*
42 *(h), inclusive, of subsection 1 of section 1.3 of this act* which are
43 received by the county pursuant to NRS 373.080 must, except as
44 otherwise provided in NRS 373.119, be deposited by the county
45 treasurer in a fund to be known as the regional street and highway



* A B 4 1 3 R 3 *

1 fund in the county treasury, and disbursed only in accordance with
2 the provisions of this chapter and chapter 277A of NRS. After
3 July 1, 1975, the regional street and highway fund must be
4 accounted for as a separate fund and not as a part of any other fund.

5 2. Imposed pursuant to the provisions of paragraph (a), (b) or
6 (c) of subsection 1 of NRS 373.065 or paragraph (a), (b) or (c) of
7 subsection 1 of NRS 373.066 *or paragraph (a), (b) or (c) of*
8 *subsection 1 of section 1.3 of this act* which are received by the
9 county pursuant to NRS 373.080 must be allocated, disbursed and
10 used as provided in the ordinance imposing the tax.

11 **Sec. 7.** NRS 373.119 is hereby amended to read as follows:

12 373.119 1. Except to the extent pledged before July 1, 1985,
13 the board may use that portion of the revenue collected pursuant to
14 the provisions of this chapter from any taxes imposed pursuant
15 to the provisions of NRS 373.030, paragraph (d) of subsection 1 of
16 NRS 373.065 or paragraphs (d) to (m), inclusive, of subsection 1 of
17 NRS 373.066 *or paragraphs (d) to (m), inclusive, of subsection 1*
18 *of section 1.1 of this act* that represents collections from the sale of
19 fuel for use in boats at marinas in the county to make capital
20 improvements or to conduct programs to encourage safety in
21 boating. If the county does not control a body of water, where an
22 improvement or program is appropriate, the board may contract with
23 an appropriate person or governmental organization for the
24 improvement or program.

25 2. Each marina shall report monthly to the Department the
26 number of gallons of motor vehicle fuel sold for use in boats. The
27 report must be made on or before the 25th day of each month for
28 sales during the preceding month.

29 **Sec. 7.3.** NRS 373.119 is hereby amended to read as follows:

30 373.119 1. Except to the extent pledged before July 1, 1985,
31 the board may use that portion of the revenue collected pursuant
32 to the provisions of this chapter from any taxes imposed pursuant to
33 the provisions of NRS 373.030, paragraph (d) of subsection 1 of
34 NRS 373.065 or paragraphs (d) to (m), inclusive, of subsection 1
35 of NRS 373.066 *, paragraphs (d) to (m), inclusive, of subsection 1*
36 *of section 1.1 of this act or paragraphs (d) to (h), inclusive, of*
37 *subsection 1 of section 1.3 of this act* that represents collections
38 from the sale of fuel for use in boats at marinas in the county to
39 make capital improvements or to conduct programs to encourage
40 safety in boating. If the county does not control a body of water,
41 where an improvement or program is appropriate, the board may
42 contract with an appropriate person or governmental organization
43 for the improvement or program.

44 2. Each marina shall report monthly to the Department the
45 number of gallons of motor vehicle fuel sold for use in boats. The



* A B 4 1 3 R 3 *

1 report must be made on or before the 25th day of each month for
2 sales during the preceding month.

3 **Sec. 7.7.** NRS 373.119 is hereby amended to read as follows:

4 373.119 1. Except to the extent pledged before July 1, 1985,
5 the board may use that portion of the revenue collected pursuant
6 to the provisions of this chapter from any taxes imposed pursuant to
7 the provisions of NRS 373.030, paragraph (d) of subsection 1 of
8 NRS 373.065 or paragraphs (d) to (m), inclusive, of subsection 1 of
9 NRS 373.066 *or paragraphs (d) to (h), inclusive, of subsection 1*
10 *of section 1.3 of this act* that represents collections from the sale of
11 fuel for use in boats at marinas in the county to make capital
12 improvements or to conduct programs to encourage safety in
13 boating. If the county does not control a body of water, where an
14 improvement or program is appropriate, the board may contract with
15 an appropriate person or governmental organization for the
16 improvement or program.

17 2. Each marina shall report monthly to the Department the
18 number of gallons of motor vehicle fuel sold for use in boats. The
19 report must be made on or before the 25th day of each month for
20 sales during the preceding month.

21 **Sec. 8.** NRS 373.120 is hereby amended to read as follows:

22 373.120 1. No county fuel tax ordinance may be repealed or
23 amended or otherwise directly or indirectly modified in such a
24 manner as to impair adversely any outstanding bonds issued under
25 this chapter or other obligations incurred under this chapter, until all
26 obligations for which revenues from such ordinance have been
27 pledged or otherwise made payable from such revenues pursuant to
28 this chapter have been discharged in full, but the board, with the
29 approval of the governing body of each participating city, may at
30 any time dissolve the commission and provide that no further
31 obligations may be incurred thereafter.

32 2. The faith of the State of Nevada is hereby pledged that this
33 chapter, NRS 365.180 to 365.200, inclusive, and 365.562, and any
34 law supplemental thereto, including without limitation, provisions
35 for the distribution to any county designated in NRS 373.030,
36 373.065 or 373.066, *or section 1.1 of this act*, of the proceeds of the
37 fuel taxes collected thereunder will not be repealed, amended or
38 otherwise directly or indirectly modified in such a manner as to
39 impair adversely any outstanding bonds issued under this chapter or
40 other obligations incurred under this chapter, until all obligations for
41 which any such tax proceeds have been pledged or otherwise made
42 payable from such tax proceeds pursuant to this chapter have been
43 discharged in full, but the State of Nevada may at any time provide
44 by act that no further obligations may be incurred thereafter.



3. Except as otherwise provided in subsection 4, any continuing increases in any taxes imposed pursuant to section 1.1 of this act must not be pledged beyond June 30 of the fiscal year that is 5 full fiscal years after bonds or other obligations secured by the taxes imposed pursuant to section 1.1 of this act are issued or incurred, but the taxes imposed pursuant to section 1.1 of this act that are in effect on that June 30 must continue to be pledged to those bonds or other obligations until they are paid in full.

4. At any time after bonds are issued or other obligations incurred with a pledge of the taxes imposed pursuant to section 1.1 of this act, the board may, except as otherwise provided in subsection 5 of section 1.1 of this act, by ordinance:

(a) Continue the pledge of the increase in taxes imposed pursuant to section 1.1 of this act beyond June 30 of the fiscal year that is 5 full fiscal years after bonds or other obligations secured by the taxes imposed pursuant to section 1.1 of this act are issued or incurred, but not beyond June 30 of the fiscal year that is 5 full fiscal years after the adoption of the ordinance pursuant to this paragraph. The process set forth in this paragraph may be repeated until all bonds or other obligations secured by the taxes imposed pursuant to section 1.1 of this act have been paid in full.

(b) Amend the ordinance imposing the tax to specify a different applicable percentage, including an applicable percentage of zero, but:

(1) The applicable percentage must not exceed 7.8 percent;

(2) The applicable percentage must not be reduced with respect to any fiscal year preceding the fiscal year following the effective date of an ordinance adopted pursuant to this subsection; and

(3) The effective date of any ordinance reducing the applicable percentage must not be sooner than the later of:

(I) June 30 of the fiscal year that is 5 full fiscal years after bonds or other obligations secured by the taxes imposed pursuant to section 1.1 of this act are issued or incurred; or

(II) June 30 of the fiscal year that is 5 full fiscal years after the date of adoption of any ordinance pursuant to paragraph (a).

5. As used in this section, "applicable percentage" has the meaning ascribed to it in paragraph (b) of subsection 6 of section 1.1 of this act.

Sec. 8.1. NRS 373.120 is hereby amended to read as follows:

373.120 1. No county fuel tax ordinance may be repealed or amended or otherwise directly or indirectly modified in such a manner as to impair adversely any outstanding bonds issued under this chapter or other obligations incurred under this chapter, until all



* A B 4 1 3 R 3 *

obligations for which revenues from such ordinance have been pledged or otherwise made payable from such revenues pursuant to this chapter have been discharged in full, but the board, with the approval of the governing body of each participating city, may at any time dissolve the commission and provide that no further obligations may be incurred thereafter.

2. The faith of the State of Nevada is hereby pledged that this chapter, NRS 365.180 to 365.200, inclusive, and 365.562, and any law supplemental thereto, including without limitation, provisions for the distribution to any county designated in NRS 373.030, 373.065 or 373.066, *or section 1.1, 1.2 or 1.3 of this act*, of the proceeds of the fuel taxes collected thereunder will not be repealed, amended or otherwise directly or indirectly modified in such a manner as to impair adversely any outstanding bonds issued under this chapter or other obligations incurred under this chapter, until all obligations for which any such tax proceeds have been pledged or otherwise made payable from such tax proceeds pursuant to this chapter have been discharged in full, but the State of Nevada may at any time provide by act that no further obligations may be incurred thereafter.

3. *Except as otherwise provided in subsection 4, any continuing increases in any taxes imposed pursuant to section 1.1 or 1.3 of this act must not be pledged beyond June 30 of the fiscal year that is 5 full fiscal years after bonds or other obligations secured by the taxes imposed pursuant to section 1.1 or 1.3 of this act, as applicable, are issued or incurred, but the taxes imposed pursuant to section 1.1 or 1.3 of this act that are in effect on that June 30 must continue to be pledged to those bonds or other obligations until they are paid in full.*

4. *At any time after bonds are issued or other obligations incurred with a pledge of the taxes imposed pursuant to section 1.1 or 1.3 of this act, the board may, except as otherwise provided in subsection 5 of section 1.1 of this act or subsection 4 of section 1.3 of this act, as applicable, by ordinance:*

(a) *Continue the pledge of the increase in taxes imposed pursuant to section 1.1 or 1.3 of this act, as applicable, beyond June 30 of the fiscal year that is 5 full fiscal years after bonds or other obligations secured by the taxes imposed pursuant to section 1.1 or 1.3 of this act, as applicable, are issued or incurred, but not beyond June 30 of the fiscal year that is 5 full fiscal years after the adoption of the ordinance pursuant to this paragraph. The process set forth in this paragraph may be repeated until all bonds or other obligations secured by the taxes imposed pursuant to section 1.1 or 1.3 of this act, as applicable, have been paid in full.*



* A B 4 1 3 R 3 *

(b) Amend the ordinance imposing the tax to specify a different applicable percentage, including an applicable percentage of zero, but:

(1) The applicable percentage must not exceed 7.8 percent;

(2) The applicable percentage must not be reduced with respect to any fiscal year preceding the fiscal year following the effective date of an ordinance adopted pursuant to this subsection; and

(3) The effective date of any ordinance reducing the applicable percentage must not be sooner than the later of:

(I) June 30 of the fiscal year that is 5 full fiscal years after bonds or other obligations secured by the taxes imposed pursuant to section 1.1 or 1.3 of this act, as applicable, are issued or incurred; or

(II) June 30 of the fiscal year that is 5 full fiscal years after the date of adoption of any ordinance pursuant to paragraph (a).

5. As used in this section, "applicable percentage":

(a) With regard to any tax imposed pursuant to section 1.1 of this act, has the meaning ascribed to it in paragraph (b) of subsection 6 of section 1.1 of this act.

(b) With regard to any tax imposed pursuant to section 1.3 of this act, has the meaning ascribed to it in paragraph (b) of subsection 5 of section 1.3 of this act.

Sec. 8.2. NRS 373.120 is hereby amended to read as follows:

373.120 1. No county fuel tax ordinance may be repealed or amended or otherwise directly or indirectly modified in such a manner as to impair adversely any outstanding bonds issued under this chapter or other obligations incurred under this chapter, until all obligations for which revenues from such ordinance have been pledged or otherwise made payable from such revenues pursuant to this chapter have been discharged in full, but the board, with the approval of the governing body of each participating city, may at any time dissolve the commission and provide that no further obligations may be incurred thereafter.

2. The faith of the State of Nevada is hereby pledged that this chapter, NRS 365.180 to 365.200, inclusive, and 365.562, and any law supplemental thereto, including without limitation, provisions for the distribution to any county designated in NRS 373.030, 373.065 or 373.066, *or section 1.1 or 1.2 of this act*, of the proceeds of the fuel taxes collected thereunder will not be repealed, amended or otherwise directly or indirectly modified in such a manner as to impair adversely any outstanding bonds issued under this chapter or other obligations incurred under this chapter, until all obligations for which any such tax proceeds have been pledged or otherwise made



* A B 4 1 3 R 3 *

1 payable from such tax proceeds pursuant to this chapter have been
2 discharged in full, but the State of Nevada may at any time provide
3 by act that no further obligations may be incurred thereafter.

4 *3. Except as otherwise provided in subsection 4, any*
5 *continuing increases in any taxes imposed pursuant to section 1.1*
6 *or 1.3 of this act must not be pledged beyond June 30 of the fiscal*
7 *year that is 5 full fiscal years after bonds or other obligations*
8 *secured by the taxes imposed pursuant to section 1.1 of this act are*
9 *issued or incurred, but the taxes imposed pursuant to section 1.1*
10 *of this act that are in effect on that June 30 must continue to be*
11 *pledged to those bonds or other obligations until they are paid in*
12 *full.*

13 *4. At any time after bonds are issued or other obligations*
14 *incurred with a pledge of the taxes imposed pursuant to section 1.1*
15 *of this act, the board may, except as otherwise provided in*
16 *subsection 5 of section 1.1 of this act, by ordinance:*

17 *(a) Continue the pledge of the increase in taxes imposed*
18 *pursuant to section 1.1 of this act beyond June 30 of the fiscal*
19 *year that is 5 full fiscal years after bonds or other obligations*
20 *secured by the taxes imposed pursuant to section 1.1 of this act are*
21 *issued or incurred, but not beyond June 30 of the fiscal year that*
22 *is 5 full fiscal years after the adoption of the ordinance pursuant*
23 *to this paragraph. The process set forth in this paragraph may be*
24 *repeated until all bonds or other obligations secured by the taxes*
25 *imposed pursuant to section 1.1 of this act have been paid in full.*

26 *(b) Amend the ordinance imposing the tax to specify a*
27 *different applicable percentage, including an applicable*
28 *percentage of zero, but:*

29 *(1) The applicable percentage must not exceed 7.8 percent;*

30 *(2) The applicable percentage must not be reduced with*
31 *respect to any fiscal year preceding the fiscal year following the*
32 *effective date of an ordinance adopted pursuant to this subsection;*
33 *and*

34 *(3) The effective date of any ordinance reducing the*
35 *applicable percentage must not be sooner than the later of:*

36 *(I) June 30 of the fiscal year that is 5 full fiscal years*
37 *after bonds or other obligations secured by the taxes imposed*
38 *pursuant to section 1.1 of this act are issued or incurred; or*

39 *(II) June 30 of the fiscal year that is 5 full fiscal years*
40 *after the date of adoption of any ordinance pursuant to*
41 *paragraph (a).*

42 *5. As used in this section, "applicable percentage" has the*
43 *meaning ascribed to it in paragraph (b) of subsection 6 of section*
44 *1.1 of this act.*



* A B 4 1 3 R 3 *

Sec. 8.3. NRS 373.120 is hereby amended to read as follows:

373.120 1. No county fuel tax ordinance may be repealed or amended or otherwise directly or indirectly modified in such a manner as to impair adversely any outstanding bonds issued under this chapter or other obligations incurred under this chapter, until all obligations for which revenues from such ordinance have been pledged or otherwise made payable from such revenues pursuant to this chapter have been discharged in full, but the board, with the approval of the governing body of each participating city, may at any time dissolve the commission and provide that no further obligations may be incurred thereafter.

2. The faith of the State of Nevada is hereby pledged that this chapter, NRS 365.180 to 365.200, inclusive, and 365.562, and any law supplemental thereto, including without limitation, provisions for the distribution to any county designated in NRS 373.030, 373.065 or 373.066, *or section 1.1 or 1.3 of this act*, of the proceeds of the fuel taxes collected thereunder will not be repealed, amended or otherwise directly or indirectly modified in such a manner as to impair adversely any outstanding bonds issued under this chapter or other obligations incurred under this chapter, until all obligations for which any such tax proceeds have been pledged or otherwise made payable from such tax proceeds pursuant to this chapter have been discharged in full, but the State of Nevada may at any time provide by act that no further obligations may be incurred thereafter.

3. Except as otherwise provided in subsection 4, any continuing increases in any taxes imposed pursuant to section 1.1 or 1.3 of this act must not be pledged beyond June 30 of the fiscal year that is 5 full fiscal years after bonds or other obligations secured by the taxes imposed pursuant to section 1.1 or 1.3 of this act, as applicable, are issued or incurred, but the taxes imposed pursuant to section 1.1 or 1.3 of this act that are in effect on that June 30 must continue to be pledged to those bonds or other obligations until they are paid in full.

4. At any time after bonds are issued or other obligations incurred with a pledge of the taxes imposed pursuant to section 1.1 or 1.3 of this act, the board may, except as otherwise provided in subsection 5 of section 1.1 of this act or subsection 4 of section 1.3 of this act, as applicable, by ordinance:

(a) Continue the pledge of the increase in taxes imposed pursuant to section 1.1 or 1.3 of this act, as applicable, beyond June 30 of the fiscal year that is 5 full fiscal years after bonds or other obligations secured by the taxes imposed pursuant to section 1.1 or 1.3 of this act, as applicable, are issued or incurred, but not beyond June 30 of the fiscal year that is 5 full fiscal years after the adoption of the ordinance pursuant to this paragraph. The process



* A B 4 1 3 R 3 *

1 *set forth in this paragraph may be repeated until all bonds or other*
2 *obligations secured by the taxes imposed pursuant to section 1.1 or*
3 *1.3 of this act, as applicable, have been paid in full.*

4 *(b) Amend the ordinance imposing the tax to specify a*
5 *different applicable percentage, including an applicable*
6 *percentage of zero, but:*

7 *(1) The applicable percentage must not exceed 7.8 percent;*

8 *(2) The applicable percentage must not be reduced with*
9 *respect to any fiscal year preceding the fiscal year following the*
10 *effective date of an ordinance adopted pursuant to this subsection;*
11 *and*

12 *(3) The effective date of any ordinance reducing the*
13 *applicable percentage must not be sooner than the later of:*

14 *(I) June 30 of the fiscal year that is 5 full fiscal years*
15 *after bonds or other obligations secured by the taxes imposed*
16 *pursuant to section 1.1 or 1.3 of this act, as applicable, are issued*
17 *or incurred; or*

18 *(II) June 30 of the fiscal year that is 5 full fiscal years*
19 *after the date of adoption of any ordinance pursuant to*
20 *paragraph (a).*

21 *5. As used in this section, “applicable percentage”:*

22 *(a) With regard to any tax imposed pursuant to section 1.1 of*
23 *this act, has the meaning ascribed to it in paragraph (b) of*
24 *subsection 6 of section 1.1 of this act.*

25 *(b) With regard to any tax imposed pursuant to section 1.3 of*
26 *this act, has the meaning ascribed to it in paragraph (b) of*
27 *subsection 5 of section 1.3 of this act.*

28 **Sec. 8.5.** NRS 373.120 is hereby amended to read as follows:

29 373.120 1. No county fuel tax ordinance may be repealed or
30 amended or otherwise directly or indirectly modified in such a
31 manner as to impair adversely any outstanding bonds issued under
32 this chapter or other obligations incurred under this chapter, until all
33 obligations for which revenues from such ordinance have been
34 pledged or otherwise made payable from such revenues pursuant to
35 this chapter have been discharged in full, but the board, with the
36 approval of the governing body of each participating city, may at
37 any time dissolve the commission and provide that no further
38 obligations may be incurred thereafter.

39 2. The faith of the State of Nevada is hereby pledged that this
40 chapter, NRS 365.180 to 365.200, inclusive, and 365.562, and any
41 law supplemental thereto, including without limitation, provisions
42 for the distribution to any county designated in NRS 373.030,
43 373.065 or 373.066, *or section 1.2 or 1.3 of this act*, of the proceeds
44 of the fuel taxes collected thereunder will not be repealed, amended
45 or otherwise directly or indirectly modified in such a manner as to



1 impair adversely any outstanding bonds issued under this chapter or
2 other obligations incurred under this chapter, until all obligations for
3 which any such tax proceeds have been pledged or otherwise made
4 payable from such tax proceeds pursuant to this chapter have been
5 discharged in full, but the State of Nevada may at any time provide
6 by act that no further obligations may be incurred thereafter.

7 *3. Except as otherwise provided in subsection 4, any*
8 *continuing increases in any taxes imposed pursuant to section 1.3*
9 *of this act must not be pledged beyond June 30 of the fiscal year*
10 *that is 5 full fiscal years after bonds or other obligations secured*
11 *by the taxes imposed pursuant to section 1.3 of this act are issued*
12 *or incurred, but the taxes imposed pursuant to section 1.3 of this*
13 *act that are in effect on that June 30 must continue to be pledged*
14 *to those bonds or other obligations until they are paid in full.*

15 *4. At any time after bonds are issued or other obligations*
16 *incurred with a pledge of the taxes imposed pursuant to section 1.3*
17 *of this act, the board may, except as otherwise provided in*
18 *subsection 4 of section 1.3 of this act, by ordinance:*

19 *(a) Continue the pledge of the increase in taxes imposed*
20 *pursuant to section 1.3 of this act beyond June 30 of the fiscal*
21 *year that is 5 full fiscal years after bonds or other obligations*
22 *secured by the taxes imposed pursuant to section 1.3 of this act are*
23 *issued or incurred, but not beyond June 30 of the fiscal year that*
24 *is 5 full fiscal years after the adoption of the ordinance pursuant*
25 *to this paragraph. The process set forth in this paragraph may be*
26 *repeated until all bonds or other obligations secured by the taxes*
27 *imposed pursuant to section 1.3 of this act have been paid in full.*

28 *(b) Amend the ordinance imposing the tax to specify a*
29 *different applicable percentage, including an applicable*
30 *percentage of zero, but:*

31 *(1) The applicable percentage must not exceed 7.8 percent;*

32 *(2) The applicable percentage must not be reduced with*
33 *respect to any fiscal year preceding the fiscal year following the*
34 *effective date of an ordinance adopted pursuant to this subsection;*
35 *and*

36 *(3) The effective date of any ordinance reducing the*
37 *applicable percentage must not be sooner than the later of:*

38 *(I) June 30 of the fiscal year that is 5 full fiscal years*
39 *after bonds or other obligations secured by the taxes imposed*
40 *pursuant to section 1.3 of this act are issued or incurred; or*

41 *(II) June 30 of the fiscal year that is 5 full fiscal years*
42 *after the date of adoption of any ordinance pursuant to*
43 *paragraph (a).*



* A B 4 1 3 R 3 *

1 **5. As used in this section, “applicable percentage” has the**
2 **meaning ascribed to it in paragraph (b) of subsection 5 of section**
3 **1.3 of this act.**

4 **Sec. 8.7.** NRS 373.120 is hereby amended to read as follows:

5 373.120 1. No county fuel tax ordinance may be repealed or
6 amended or otherwise directly or indirectly modified in such a
7 manner as to impair adversely any outstanding bonds issued under
8 this chapter or other obligations incurred under this chapter, until all
9 obligations for which revenues from such ordinance have been
10 pledged or otherwise made payable from such revenues pursuant to
11 this chapter have been discharged in full, but the board, with the
12 approval of the governing body of each participating city, may at
13 any time dissolve the commission and provide that no further
14 obligations may be incurred thereafter.

15 2. The faith of the State of Nevada is hereby pledged that this
16 chapter, NRS 365.180 to 365.200, inclusive, and 365.562, and any
17 law supplemental thereto, including without limitation, provisions
18 for the distribution to any county designated in NRS 373.030,
19 373.065 or 373.066, **or section 1.2 of this act**, of the proceeds of the
20 fuel taxes collected thereunder will not be repealed, amended or
21 otherwise directly or indirectly modified in such a manner as to
22 impair adversely any outstanding bonds issued under this chapter or
23 other obligations incurred under this chapter, until all obligations for
24 which any such tax proceeds have been pledged or otherwise made
25 payable from such tax proceeds pursuant to this chapter have been
26 discharged in full, but the State of Nevada may at any time provide
27 by act that no further obligations may be incurred thereafter.

28 **Sec. 8.9.** NRS 373.120 is hereby amended to read as follows:

29 373.120 1. No county fuel tax ordinance may be repealed or
30 amended or otherwise directly or indirectly modified in such a
31 manner as to impair adversely any outstanding bonds issued under
32 this chapter or other obligations incurred under this chapter, until all
33 obligations for which revenues from such ordinance have been
34 pledged or otherwise made payable from such revenues pursuant to
35 this chapter have been discharged in full, but the board, with the
36 approval of the governing body of each participating city, may at
37 any time dissolve the commission and provide that no further
38 obligations may be incurred thereafter.

39 2. The faith of the State of Nevada is hereby pledged that this
40 chapter, NRS 365.180 to 365.200, inclusive, and 365.562, and any
41 law supplemental thereto, including without limitation, provisions
42 for the distribution to any county designated in NRS 373.030,
43 373.065 or 373.066, **or section 1.3 of this act**, of the proceeds of the
44 fuel taxes collected thereunder will not be repealed, amended or
45 otherwise directly or indirectly modified in such a manner as to



1 impair adversely any outstanding bonds issued under this chapter or
2 other obligations incurred under this chapter, until all obligations for
3 which any such tax proceeds have been pledged or otherwise made
4 payable from such tax proceeds pursuant to this chapter have been
5 discharged in full, but the State of Nevada may at any time provide
6 by act that no further obligations may be incurred thereafter.

7 *3. Except as otherwise provided in subsection 4, any*
8 *continuing increases in any taxes imposed pursuant to section 1.3*
9 *of this act must not be pledged beyond June 30 of the fiscal year*
10 *that is 5 full fiscal years after bonds or other obligations secured*
11 *by the taxes imposed pursuant to section 1.3 of this act are issued*
12 *or incurred, but the taxes imposed pursuant to section 1.3 of this*
13 *act that are in effect on that June 30 must continue to be pledged*
14 *to those bonds or other obligations until they are paid in full.*

15 *4. At any time after bonds are issued or other obligations*
16 *incurred with a pledge of the taxes imposed pursuant to section 1.3*
17 *of this act, the board may, except as otherwise provided in*
18 *subsection 4 of section 1.3 of this act, by ordinance:*

19 *(a) Continue the pledge of the increase in taxes imposed*
20 *pursuant to section 1.3 of this act beyond June 30 of the fiscal*
21 *year that is 5 full fiscal years after bonds or other obligations*
22 *secured by the taxes imposed pursuant to section 1.3 of this act are*
23 *issued or incurred, but not beyond June 30 of the fiscal year that*
24 *is 5 full fiscal years after the adoption of the ordinance pursuant*
25 *to this paragraph. The process set forth in this paragraph may be*
26 *repeated until all bonds or other obligations secured by the taxes*
27 *imposed pursuant to section 1.3 of this act have been paid in full.*

28 *(b) Amend the ordinance imposing the tax to specify a*
29 *different applicable percentage, including an applicable*
30 *percentage of zero, but:*

31 *(1) The applicable percentage must not exceed 7.8 percent;*

32 *(2) The applicable percentage must not be reduced with*
33 *respect to any fiscal year preceding the fiscal year following the*
34 *effective date of an ordinance adopted pursuant to this subsection;*
35 *and*

36 *(3) The effective date of any ordinance reducing the*
37 *applicable percentage must not be sooner than the later of:*

38 *(I) June 30 of the fiscal year that is 5 full fiscal years*
39 *after bonds or other obligations secured by the taxes imposed*
40 *pursuant to section 1.3 of this act are issued or incurred; or*

41 *(II) June 30 of the fiscal year that is 5 full fiscal years*
42 *after the date of adoption of any ordinance pursuant to*
43 *paragraph (a).*



* A B 4 1 3 R 3 *

1 **5. As used in this section, “applicable percentage” has the**
2 **meaning ascribed to it in paragraph (b) of subsection 5 of section**
3 **1.3 of this act.**

4 **Sec. 9.** NRS 373.131 is hereby amended to read as follows:

5 373.131 1. Money for the payment of the cost of a project
6 within the area embraced by a regional plan for transportation
7 established pursuant to NRS 277A.210 may be obtained by the
8 issuance of revenue bonds and other revenue securities as provided
9 in subsection 2 or, subject to any pledges, liens and other contractual
10 limitations made pursuant to the provisions of this chapter and
11 chapter 277A of NRS, may be obtained by direct distribution from
12 the regional street and highway fund, except to the extent any such
13 use is prevented by the provisions of NRS 373.150, or may be
14 obtained both by the issuance of such securities and by such direct
15 distribution, as the board may determine. Money for street and
16 highway construction outside the area embraced by the plan may be
17 distributed directly from the regional street and highway fund as
18 provided in NRS 373.150.

19 2. The board or, in a county whose population is 100,000 or
20 more, a commission, may, after the enactment of any ordinance
21 authorized by the provisions of NRS 373.030, paragraph (d) of
22 subsection 1 of NRS 373.065 or paragraphs (d) to (m), inclusive, of
23 subsection 1 of NRS 373.066, **or paragraphs (d) to (m), inclusive,**
24 **of subsection 1 of section 1.1 of this act,** issue revenue bonds and
25 other revenue securities, on the behalf and in the name of the county
26 or the commission, as the case may be:

27 (a) The total of all of which, issued and outstanding at any one
28 time, must not be in an amount requiring a total debt service in
29 excess of the estimated receipts to be derived from the taxes
30 imposed pursuant to the provisions of NRS 373.030, paragraph (d)
31 of subsection 1 of NRS 373.065 , ~~and~~ paragraphs (d) to (m),
32 inclusive, of subsection 1 of NRS 373.066 , ~~and~~ **paragraphs (d) to**
33 **(m), inclusive, of subsection 1 of section 1.1 of this act and, with**
34 **respect to notes, warrants or interim debentures described in**
35 **paragraphs (a) and (b) of subsection 6, the proceeds of bonds or**
36 **interim debentures;**

37 (b) Which must not be general obligations of the county or the
38 commission or a charge on any real estate within the county; and

39 (c) Which may be secured as to principal and interest by a
40 pledge authorized by this chapter of the receipts from the fuel taxes
41 designated in this chapter, except such portion of the receipts as may
42 be required for the direct distributions authorized by NRS 373.150.

43 3. A county or a commission as provided in subsection 2 is
44 authorized to issue bonds or other securities without the necessity of



* A B 4 1 3 R 3 *

1 their being authorized at any election in such manner and with such
2 terms as provided in this chapter.

3 4. Subject to the provisions of this chapter and chapter 277A of
4 NRS, for any project authorized therein, the board of any county
5 may, on the behalf and in the name of the county, or, in a county
6 whose population is 100,000 or more, a commission may, on behalf
7 and in the name of the commission, borrow money, otherwise
8 become obligated, and evidence obligations by the issuance of
9 bonds and other county or commission securities, and in connection
10 with the undertaking or project, the board or the commission, as the
11 case may be, may otherwise proceed as provided in the Local
12 Government Securities Law.

13 5. All such securities constitute special obligations payable
14 from the net receipts of the fuel taxes designated in this chapter
15 except as otherwise provided in NRS 373.150, and the pledge of
16 revenues to secure the payment of the securities must be limited to
17 those net receipts.

18 6. Except for:

19 (a) Any notes or warrants which are funded with the proceeds of
20 interim debentures or bonds;

21 (b) Any interim debentures which are funded with the proceeds
22 of bonds;

23 (c) Any temporary bonds which are exchanged for definitive
24 bonds;

25 (d) Any bonds which are reissued or which are refunded; and

26 (e) The use of any profit from any investment and reinvestment
27 for the payment of any bonds or other securities issued pursuant to
28 the provisions of this chapter,

29 ➔ all bonds and other securities issued pursuant to the provisions of
30 this chapter must be payable solely from the proceeds of fuel taxes
31 collected by or remitted to the county pursuant to chapter 365 of
32 NRS, as supplemented by this chapter. Receipts of the taxes levied
33 in NRS 365.180 and 365.190 and pursuant to the provisions of
34 paragraphs (a) and (b) of subsection 1 of NRS 373.065 and
35 paragraphs (a) and (b) of subsection 1 of NRS 373.066 *and*
36 *paragraphs (a) and (b) of subsection 1 of section 1.1 of this act*
37 may be used by the county for the payment of securities issued
38 pursuant to the provisions of this chapter and may be pledged
39 therefor. Such taxes may also be used by a commission in a county
40 whose population is 100,000 or more for the payment of bonds or
41 other securities issued pursuant to the provisions of this chapter and
42 may be pledged therefor if the board of the county consents to such
43 use. If during any period any securities payable from these tax
44 proceeds are outstanding, the tax receipts must not be used directly
45 for the construction, maintenance and repair of any streets, roads or



* A B 4 1 3 R 3 *

1 other highways nor for any purchase of equipment therefor, and the
2 receipts of the tax levied in NRS 365.190 must not be apportioned
3 pursuant to subsection 2 of NRS 365.560 unless, at any time the tax
4 receipts are so apportioned, provision has been made in a timely
5 manner for the payment of such outstanding securities as to the
6 principal of, any prior redemption premiums due in connection with,
7 and the interest on the securities as they become due, as provided in
8 the securities, the ordinance, in the case of securities issued by a
9 county, or the resolution, in the case of securities issued by a
10 commission, authorizing their issuance and any other instrument
11 appertaining to the securities.

12 7. The ordinance, in the case of securities issued by a county,
13 or the resolution, in the case of securities issued by a commission,
14 authorizing the issuance of any bond or other revenue security under
15 this section must describe the purpose for which it is issued at least
16 in general terms and may describe the purpose in detail. This section
17 does not require the purpose so stated to be set forth in the detail in
18 which the project approved by the commission pursuant to
19 subsection 2 of NRS 373.140 is stated, or prevent the modification
20 by the board or commission, as the case may be, of details as to the
21 purpose stated in the ordinance authorizing the issuance of any bond
22 or other security after its issuance, subject to approval by the
23 commission of the project as so modified, if such bond or other
24 security is issued by the county and not the commission.

25 8. Notwithstanding any other provision of this chapter, no
26 commission has authority to issue bonds or other securities pursuant
27 to this chapter unless the commission has executed an interlocal
28 agreement with the county relating to the issuance of bonds or other
29 securities by the commission. Any such interlocal agreement must
30 include an acknowledgment of the authority of the commission to
31 issue bonds and other securities and contain provisions relating to
32 the pledge of revenues for the repayment of the bonds or other
33 securities, the lien priority of the pledge of revenues securing the
34 bonds or other securities, and related matters.

35 **Sec. 9.3.** NRS 373.131 is hereby amended to read as follows:

36 373.131 1. Money for the payment of the cost of a project
37 within the area embraced by a regional plan for transportation
38 established pursuant to NRS 277A.210 may be obtained by the
39 issuance of revenue bonds and other revenue securities as provided
40 in subsection 2 or, subject to any pledges, liens and other contractual
41 limitations made pursuant to the provisions of this chapter and
42 chapter 277A of NRS, may be obtained by direct distribution from
43 the regional street and highway fund, except to the extent any such
44 use is prevented by the provisions of NRS 373.150, or may be
45 obtained both by the issuance of such securities and by such direct



* A B 4 1 3 R 3 *

1 distribution, as the board may determine. Money for street and
2 highway construction outside the area embraced by the plan may be
3 distributed directly from the regional street and highway fund as
4 provided in NRS 373.150.

5 2. The board or, in a county whose population is 100,000 or
6 more, a commission, may, after the enactment of any ordinance
7 authorized *or required* by the provisions of NRS 373.030,
8 paragraph (d) of subsection 1 of NRS 373.065 , ~~for~~ paragraphs (d)
9 to (m), inclusive, of subsection 1 of NRS 373.066, *paragraphs (d)*
10 *to (m), inclusive, of subsection 1 of section 1.1 of this act or*
11 *paragraphs (d) to (h), inclusive, of subsection 1 of section 1.3 of*
12 *this act*, issue revenue bonds and other revenue securities, on the
13 behalf and in the name of the county or the commission, as the case
14 may be:

15 (a) The total of all of which, issued and outstanding at any one
16 time, must not be in an amount requiring a total debt service in
17 excess of the estimated receipts to be derived from the taxes
18 imposed pursuant to the provisions of NRS 373.030, paragraph (d)
19 of subsection 1 of NRS 373.065 , ~~and~~ paragraphs (d) to (m),
20 inclusive, of subsection 1 of NRS 373.066 ~~and~~ *paragraphs (d) to*
21 *(m), inclusive, of subsection 1 of section 1.1 of this act and*
22 *paragraphs (d) to (h), inclusive, of subsection 1 of section 1.3 of*
23 *this act and, with respect to notes, warrants or interim debentures*
24 *described in paragraphs (a) and (b) of subsection 6, the proceeds*
25 *of bonds or interim debentures;*

26 (b) Which must not be general obligations of the county or the
27 commission or a charge on any real estate within the county; and

28 (c) Which may be secured as to principal and interest by a
29 pledge authorized by this chapter of the receipts from the fuel taxes
30 designated in this chapter, except such portion of the receipts as may
31 be required for the direct distributions authorized by NRS 373.150.

32 3. A county or a commission as provided in subsection 2 is
33 authorized to issue bonds or other securities without the necessity of
34 their being authorized at any election in such manner and with such
35 terms as provided in this chapter.

36 4. Subject to the provisions of this chapter and chapter 277A of
37 NRS, for any project authorized therein, the board of any county
38 may, on the behalf and in the name of the county, or, in a county
39 whose population is 100,000 or more, a commission may, on behalf
40 and in the name of the commission, borrow money, otherwise
41 become obligated, and evidence obligations by the issuance of
42 bonds and other county or commission securities, and in connection
43 with the undertaking or project, the board or the commission, as the
44 case may be, may otherwise proceed as provided in the Local
45 Government Securities Law.



* A B 4 1 3 R 3 *

5. All such securities constitute special obligations payable from the net receipts of the fuel taxes designated in this chapter except as otherwise provided in NRS 373.150, and the pledge of revenues to secure the payment of the securities must be limited to those net receipts.

6. Except for:

(a) Any notes or warrants which are funded with the proceeds of interim debentures or bonds;

(b) Any interim debentures which are funded with the proceeds of bonds;

(c) Any temporary bonds which are exchanged for definitive bonds;

(d) Any bonds which are reissued or which are refunded; and

(e) The use of any profit from any investment and reinvestment for the payment of any bonds or other securities issued pursuant to the provisions of this chapter,

➔ all bonds and other securities issued pursuant to the provisions of this chapter must be payable solely from the proceeds of fuel taxes collected by or remitted to the county pursuant to chapter 365 of NRS, as supplemented by this chapter. Receipts of the taxes levied in NRS 365.180 and 365.190 and pursuant to the provisions of paragraphs (a) and (b) of subsection 1 of NRS 373.065, ~~and~~ paragraphs (a) and (b) of subsection 1 of NRS 373.066, *paragraphs (a) and (b) of subsection 1 of section 1.1 of this act and paragraphs (a) and (b) of subsection 1 of section 1.3 of this act* may be used by the county for the payment of securities issued pursuant to the provisions of this chapter and may be pledged therefor. Such taxes may also be used by a commission in a county whose population is 100,000 or more for the payment of bonds or other securities issued pursuant to the provisions of this chapter and may be pledged therefor if the board of the county consents to such use. If during any period any securities payable from these tax proceeds are outstanding, the tax receipts must not be used directly for the construction, maintenance and repair of any streets, roads or other highways nor for any purchase of equipment therefor, and the receipts of the tax levied in NRS 365.190 must not be apportioned pursuant to subsection 2 of NRS 365.560 unless, at any time the tax receipts are so apportioned, provision has been made in a timely manner for the payment of such outstanding securities as to the principal of, any prior redemption premiums due in connection with, and the interest on the securities as they become due, as provided in the securities, the ordinance, in the case of securities issued by a county, or the resolution, in the case of securities issued by a commission, authorizing their issuance and any other instrument appertaining to the securities.



7. The ordinance, in the case of securities issued by a county, or the resolution, in the case of securities issued by a commission, authorizing the issuance of any bond or other revenue security under this section must describe the purpose for which it is issued at least in general terms and may describe the purpose in detail. This section does not require the purpose so stated to be set forth in the detail in which the project approved by the commission pursuant to subsection 2 of NRS 373.140 is stated, or prevent the modification by the board or commission, as the case may be, of details as to the purpose stated in the ordinance authorizing the issuance of any bond or other security after its issuance, subject to approval by the commission of the project as so modified, if such bond or other security is issued by the county and not the commission.

8. Notwithstanding any other provision of this chapter, no commission has authority to issue bonds or other securities pursuant to this chapter unless the commission has executed an interlocal agreement with the county relating to the issuance of bonds or other securities by the commission. Any such interlocal agreement must include an acknowledgment of the authority of the commission to issue bonds and other securities and contain provisions relating to the pledge of revenues for the repayment of the bonds or other securities, the lien priority of the pledge of revenues securing the bonds or other securities, and related matters.

Sec. 9.7. NRS 373.131 is hereby amended to read as follows:

373.131 1. Money for the payment of the cost of a project within the area embraced by a regional plan for transportation established pursuant to NRS 277A.210 may be obtained by the issuance of revenue bonds and other revenue securities as provided in subsection 2 or, subject to any pledges, liens and other contractual limitations made pursuant to the provisions of this chapter and chapter 277A of NRS, may be obtained by direct distribution from the regional street and highway fund, except to the extent any such use is prevented by the provisions of NRS 373.150, or may be obtained both by the issuance of such securities and by such direct distribution, as the board may determine. Money for street and highway construction outside the area embraced by the plan may be distributed directly from the regional street and highway fund as provided in NRS 373.150.

2. The board or, in a county whose population is 100,000 or more, a commission, may, after the enactment of any ordinance authorized *or required* by the provisions of NRS 373.030, paragraph (d) of subsection 1 of NRS 373.065 or paragraphs (d) to (m), inclusive, of subsection 1 of NRS 373.066, *or paragraphs (d) to (h), inclusive, of subsection 1 of section 1.3 of this act*, issue



1 revenue bonds and other revenue securities, on the behalf and in the
2 name of the county or the commission, as the case may be:

3 (a) The total of all of which, issued and outstanding at any one
4 time, must not be in an amount requiring a total debt service in
5 excess of the estimated receipts to be derived from the taxes
6 imposed pursuant to the provisions of NRS 373.030, paragraph (d)
7 of subsection 1 of NRS 373.065 , ~~and~~ paragraphs (d) to (m),
8 inclusive, of subsection 1 of NRS 373.066 ~~and~~ *and paragraphs (d) to*
9 *(h), inclusive, of subsection 1 of section 1.3 of this act and, with*
10 *respect to notes, warrants or interim debentures described in*
11 *paragraphs (a) and (b) of subsection 6, the proceeds of bonds or*
12 *interim debentures;*

13 (b) Which must not be general obligations of the county or the
14 commission or a charge on any real estate within the county; and

15 (c) Which may be secured as to principal and interest by a
16 pledge authorized by this chapter of the receipts from the fuel taxes
17 designated in this chapter, except such portion of the receipts as may
18 be required for the direct distributions authorized by NRS 373.150.

19 3. A county or a commission as provided in subsection 2 is
20 authorized to issue bonds or other securities without the necessity of
21 their being authorized at any election in such manner and with such
22 terms as provided in this chapter.

23 4. Subject to the provisions of this chapter and chapter 277A of
24 NRS, for any project authorized therein, the board of any county
25 may, on the behalf and in the name of the county, or, in a county
26 whose population is 100,000 or more, a commission may, on behalf
27 and in the name of the commission, borrow money, otherwise
28 become obligated, and evidence obligations by the issuance of
29 bonds and other county or commission securities, and in connection
30 with the undertaking or project, the board or the commission, as the
31 case may be, may otherwise proceed as provided in the Local
32 Government Securities Law.

33 5. All such securities constitute special obligations payable
34 from the net receipts of the fuel taxes designated in this chapter
35 except as otherwise provided in NRS 373.150, and the pledge of
36 revenues to secure the payment of the securities must be limited to
37 those net receipts.

38 6. Except for:

39 (a) Any notes or warrants which are funded with the proceeds of
40 interim debentures or bonds;

41 (b) Any interim debentures which are funded with the proceeds
42 of bonds;

43 (c) Any temporary bonds which are exchanged for definitive
44 bonds;

45 (d) Any bonds which are reissued or which are refunded; and



* A B 4 1 3 R 3 *

(e) The use of any profit from any investment and reinvestment for the payment of any bonds or other securities issued pursuant to the provisions of this chapter,

➔ all bonds and other securities issued pursuant to the provisions of this chapter must be payable solely from the proceeds of fuel taxes collected by or remitted to the county pursuant to chapter 365 of NRS, as supplemented by this chapter. Receipts of the taxes levied in NRS 365.180 and 365.190 and pursuant to the provisions of paragraphs (a) and (b) of subsection 1 of NRS 373.065 and paragraphs (a) and (b) of subsection 1 of NRS 373.066 *and paragraphs (a) and (b) of subsection 1 of section 1.3 of this act* may be used by the county for the payment of securities issued pursuant to the provisions of this chapter and may be pledged therefor. Such taxes may also be used by a commission in a county whose population is 100,000 or more for the payment of bonds or other securities issued pursuant to the provisions of this chapter and may be pledged therefor if the board of the county consents to such use. If during any period any securities payable from these tax proceeds are outstanding, the tax receipts must not be used directly for the construction, maintenance and repair of any streets, roads or other highways nor for any purchase of equipment therefor, and the receipts of the tax levied in NRS 365.190 must not be apportioned pursuant to subsection 2 of NRS 365.560 unless, at any time the tax receipts are so apportioned, provision has been made in a timely manner for the payment of such outstanding securities as to the principal of, any prior redemption premiums due in connection with, and the interest on the securities as they become due, as provided in the securities, the ordinance, in the case of securities issued by a county, or the resolution, in the case of securities issued by a commission, authorizing their issuance and any other instrument appertaining to the securities.

7. The ordinance, in the case of securities issued by a county, or the resolution, in the case of securities issued by a commission, authorizing the issuance of any bond or other revenue security under this section must describe the purpose for which it is issued at least in general terms and may describe the purpose in detail. This section does not require the purpose so stated to be set forth in the detail in which the project approved by the commission pursuant to subsection 2 of NRS 373.140 is stated, or prevent the modification by the board or commission, as the case may be, of details as to the purpose stated in the ordinance authorizing the issuance of any bond or other security after its issuance, subject to approval by the commission of the project as so modified, if such bond or other security is issued by the county and not the commission.



* A B 4 1 3 R 3 *

8. Notwithstanding any other provision of this chapter, no commission has authority to issue bonds or other securities pursuant to this chapter unless the commission has executed an interlocal agreement with the county relating to the issuance of bonds or other securities by the commission. Any such interlocal agreement must include an acknowledgment of the authority of the commission to issue bonds and other securities and contain provisions relating to the pledge of revenues for the repayment of the bonds or other securities, the lien priority of the pledge of revenues securing the bonds or other securities, and related matters.

Sec. 10. NRS 373.140 is hereby amended to read as follows:

373.140 1. After the enactment of ordinances as authorized in NRS 277A.170 and 373.030, all street and highway construction, surfacing or resurfacing projects in the county which are proposed to be financed from any county fuel tax imposed pursuant to the provisions of NRS 373.030, paragraph (d) of subsection 1 of NRS 373.065 or paragraphs (d) to (m), inclusive, of subsection 1 of NRS 373.066 *or paragraphs (d) to (m), inclusive, of subsection 1 of section 1.1 of this act* must first be submitted to the commission.

2. If the project is within the area covered by a regional plan for transportation established pursuant to NRS 277A.210, the commission shall evaluate it in terms of:

(a) The priorities established by the plan;

(b) The relation of the proposed work to other projects already constructed or authorized;

(c) The relative need for the project in comparison with others proposed; and

(d) The money available.

➔ If the commission approves the project, the board may authorize the project, using all or any part of the proceeds of any county fuel tax authorized pursuant to the provisions of NRS 373.030, paragraph (d) of subsection 1 of NRS 373.065 or paragraphs (d) to (m), inclusive, of subsection 1 of NRS 373.066, *or paragraphs (d) to (m), inclusive, of subsection 1 of section 1.1 of this act*, except as otherwise required by subsection 6 or to the extent any such use is prevented by the provisions for direct distribution required by NRS 373.150 or is prevented by any pledge to secure the payment of outstanding bonds, other securities or other obligations incurred under this chapter, and other contractual limitations appertaining to such obligations as authorized by NRS 373.160, and the proceeds of revenue bonds or other securities issued or to be issued as provided in NRS 373.131. Except as otherwise provided in subsection 3, if the board authorizes the project, the responsibilities for letting construction and other necessary contracts, contract administration, supervision and inspection of work and the performance of other



* A B 4 1 3 R 3 *

1 duties related to the acquisition of the project must be specified in
2 written agreements executed by the board and the governing bodies
3 of the cities and towns within the area covered by a regional plan for
4 transportation established pursuant to NRS 277A.210.

5 3. In a county in which two or more governmental entities are
6 represented on the commission, the governing bodies of those
7 governmental entities may enter into a written master agreement that
8 allows a written agreement described in subsection 2 to be executed
9 by only the commission and the governmental entity that receives
10 funding for the approved project. The provisions of a written master
11 agreement must not be used until the governing body of each
12 governmental entity represented on the commission ratifies the
13 written master agreement.

14 4. If the project is outside the area covered by a plan, the
15 commission shall evaluate it in terms of:

16 (a) Its relation to the regional plan for transportation established
17 pursuant to NRS 277A.210, if any;

18 (b) The relation of the proposed work to other projects
19 constructed or authorized;

20 (c) The relative need for the proposed work in relation to others
21 proposed by the same city or town; and

22 (d) The availability of money.

23 ➤ If the commission approves the project, the board shall direct the
24 county treasurer to distribute the sum approved to the city or town
25 requesting the project, in accordance with NRS 373.150.

26 5. In counties whose population is less than 100,000, the
27 commission shall certify the adoption of the plan in compliance with
28 subsections 2 and 4.

29 6. The proceeds of a tax imposed pursuant to any of the
30 provisions of paragraphs (d) to (m), inclusive, of subsection 1 of
31 NRS 373.066 *or paragraphs (d) to (m), inclusive, of subsection 1*
32 *of section 1.1 of this act* must be expended in accordance with
33 priorities for projects established in coordination and cooperation
34 with the Department of Transportation.

35 **Sec. 10.3.** NRS 373.140 is hereby amended to read as follows:

36 373.140 1. After the enactment of ordinances as authorized in
37 NRS 277A.170 and 373.030, all street and highway construction,
38 surfacing or resurfacing projects in the county which are proposed
39 to be financed from any county fuel tax imposed pursuant to the
40 provisions of NRS 373.030, paragraph (d) of subsection 1 of NRS
41 373.065 , ~~to~~ paragraphs (d) to (m), inclusive, of subsection 1 of
42 NRS 373.066 , *paragraphs (d) to (m), inclusive, of subsection 1 of*
43 *section 1.1 of this act or paragraphs (d) to (h), inclusive, of*
44 *subsection 1 of section 1.3 of this act* must first be submitted to the
45 commission.



* A B 4 1 3 R 3 *

2. If the project is within the area covered by a regional plan for transportation established pursuant to NRS 277A.210, the commission shall evaluate it in terms of:

- (a) The priorities established by the plan;
- (b) The relation of the proposed work to other projects already constructed or authorized;
- (c) The relative need for the project in comparison with others proposed; and
- (d) The money available.

➔ If the commission approves the project, the board may authorize the project, using all or any part of the proceeds of any county fuel tax authorized pursuant to the provisions of NRS 373.030, paragraph (d) of subsection 1 of NRS 373.065, ~~to~~ paragraphs (d) to (m), inclusive, of subsection 1 of NRS 373.066, *paragraphs (d) to (m), inclusive, of subsection 1 of section 1.1 of this act or paragraphs (d) to (h), inclusive, of subsection 1 of section 1.3 of this act*, except as otherwise required by subsection 6 or to the extent any such use is prevented by the provisions for direct distribution required by NRS 373.150 or is prevented by any pledge to secure the payment of outstanding bonds, other securities or other obligations incurred under this chapter, and other contractual limitations appertaining to such obligations as authorized by NRS 373.160, and the proceeds of revenue bonds or other securities issued or to be issued as provided in NRS 373.131. Except as otherwise provided in subsection 3, if the board authorizes the project, the responsibilities for letting construction and other necessary contracts, contract administration, supervision and inspection of work and the performance of other duties related to the acquisition of the project must be specified in written agreements executed by the board and the governing bodies of the cities and towns within the area covered by a regional plan for transportation established pursuant to NRS 277A.210.

3. In a county in which two or more governmental entities are represented on the commission, the governing bodies of those governmental entities may enter into a written master agreement that allows a written agreement described in subsection 2 to be executed by only the commission and the governmental entity that receives funding for the approved project. The provisions of a written master agreement must not be used until the governing body of each governmental entity represented on the commission ratifies the written master agreement.

4. If the project is outside the area covered by a plan, the commission shall evaluate it in terms of:

- (a) Its relation to the regional plan for transportation established pursuant to NRS 277A.210, if any;



* A B 4 1 3 R 3 *

(b) The relation of the proposed work to other projects constructed or authorized;

(c) The relative need for the proposed work in relation to others proposed by the same city or town; and

(d) The availability of money.

➤ If the commission approves the project, the board shall direct the county treasurer to distribute the sum approved to the city or town requesting the project, in accordance with NRS 373.150.

5. In counties whose population is less than 100,000, the commission shall certify the adoption of the plan in compliance with subsections 2 and 4.

6. The proceeds of a tax imposed pursuant to any of the provisions of paragraphs (d) to (m), inclusive, of subsection 1 of NRS 373.066 , *paragraphs (d) to (m), inclusive, of subsection 1 of section 1.1 of this act or paragraphs (d) to (h), inclusive, of subsection 1 of section 1.3 of this act* must be expended in accordance with priorities for projects established in coordination and cooperation with the Department of Transportation.

Sec. 10.7. NRS 373.140 is hereby amended to read as follows:

373.140 1. After the enactment of ordinances as authorized in NRS 277A.170 and 373.030, all street and highway construction, surfacing or resurfacing projects in the county which are proposed to be financed from any county fuel tax imposed pursuant to the provisions of NRS 373.030, paragraph (d) of subsection 1 of NRS 373.065 or paragraphs (d) to (m), inclusive, of subsection 1 of NRS 373.066 *or paragraphs (d) to (h), inclusive, of subsection 1 of section 1.3 of this act* must first be submitted to the commission.

2. If the project is within the area covered by a regional plan for transportation established pursuant to NRS 277A.210, the commission shall evaluate it in terms of:

(a) The priorities established by the plan;

(b) The relation of the proposed work to other projects already constructed or authorized;

(c) The relative need for the project in comparison with others proposed; and

(d) The money available.

➤ If the commission approves the project, the board may authorize the project, using all or any part of the proceeds of any county fuel tax authorized pursuant to the provisions of NRS 373.030, paragraph (d) of subsection 1 of NRS 373.065 or paragraphs (d) to (m), inclusive, of subsection 1 of NRS 373.066, *or paragraphs (d) to (h), inclusive, of subsection 1 of section 1.3 of this act*, except as otherwise required by subsection 6 or to the extent any such use is prevented by the provisions for direct distribution required by NRS 373.150 or is prevented by any pledge to secure the payment of



* A B 4 1 3 R 3 *

1 outstanding bonds, other securities or other obligations incurred
2 under this chapter, and other contractual limitations appertaining to
3 such obligations as authorized by NRS 373.160, and the proceeds of
4 revenue bonds or other securities issued or to be issued as provided
5 in NRS 373.131. Except as otherwise provided in subsection 3, if
6 the board authorizes the project, the responsibilities for letting
7 construction and other necessary contracts, contract administration,
8 supervision and inspection of work and the performance of other
9 duties related to the acquisition of the project must be specified in
10 written agreements executed by the board and the governing bodies
11 of the cities and towns within the area covered by a regional plan for
12 transportation established pursuant to NRS 277A.210.

13 3. In a county in which two or more governmental entities are
14 represented on the commission, the governing bodies of those
15 governmental entities may enter into a written master agreement that
16 allows a written agreement described in subsection 2 to be executed
17 by only the commission and the governmental entity that receives
18 funding for the approved project. The provisions of a written master
19 agreement must not be used until the governing body of each
20 governmental entity represented on the commission ratifies the
21 written master agreement.

22 4. If the project is outside the area covered by a plan, the
23 commission shall evaluate it in terms of:

24 (a) Its relation to the regional plan for transportation established
25 pursuant to NRS 277A.210, if any;

26 (b) The relation of the proposed work to other projects
27 constructed or authorized;

28 (c) The relative need for the proposed work in relation to others
29 proposed by the same city or town; and

30 (d) The availability of money.

31 ➔ If the commission approves the project, the board shall direct the
32 county treasurer to distribute the sum approved to the city or town
33 requesting the project, in accordance with NRS 373.150.

34 5. In counties whose population is less than 100,000, the
35 commission shall certify the adoption of the plan in compliance with
36 subsections 2 and 4.

37 6. The proceeds of a tax imposed pursuant to any of the
38 provisions of paragraphs (d) to (m), inclusive, of subsection 1 of
39 NRS 373.066 *or paragraphs (d) to (h), inclusive, of subsection 1 of*
40 *section 1.3 of this act* must be expended in accordance with
41 priorities for projects established in coordination and cooperation
42 with the Department of Transportation.

43 **Sec. 11.** NRS 373.160 is hereby amended to read as follows:

44 373.160 1. The ordinance or ordinances, or the resolution or
45 resolutions, providing for the issuance of any bonds or other



* A B 4 1 3 R 3 *

1 securities issued under this chapter payable from the receipts from
2 the fuel excise taxes designated in this chapter may at the discretion
3 of the board or, in the case of bonds or other securities issued by a
4 commission, the commission, in addition to covenants and other
5 provisions authorized in the Local Government Securities Law,
6 contain covenants or other provisions as to the pledge of and the
7 creation of a lien upon the receipts of the taxes collected for the
8 county pursuant to the provisions of NRS 373.030, paragraph (d) of
9 subsection 1 of NRS 373.065 and paragraphs (d) to (m), inclusive,
10 of subsection 1 of NRS 373.066, *and paragraphs (d) to (m),*
11 *inclusive, of subsection 1 of section 1.1 of this act*, excluding any
12 tax proceeds to be distributed directly under the provisions of NRS
13 373.150, or the proceeds of the bonds or other securities pending
14 their application to defray the cost of the project, or both such tax
15 proceeds and security proceeds, to secure the payment of revenue
16 bonds or other securities issued under this chapter.

17 2. If the board or, in the case of bonds or other securities issued
18 by a commission, the commission, determines in any ordinance or
19 resolution authorizing the issuance of any bonds or other securities
20 under this chapter that the proceeds of the taxes levied and collected
21 pursuant to the provisions of NRS 373.030, paragraph (d) of
22 subsection 1 of NRS 373.065 and paragraphs (d) to (m), inclusive,
23 of subsection 1 of NRS 373.066 *and paragraphs (d) to (m),*
24 *inclusive, of subsection 1 of section 1.1 of this act* are sufficient to
25 pay all bonds and securities, including the proposed issue, from the
26 proceeds thereof, the board or, in the case of bonds or other
27 securities issued by a commission, the commission with the consent
28 of the board as provided in subsection 6 of NRS 373.131, may
29 additionally secure the payment of any bonds or other securities
30 issued pursuant to the ordinance or resolution under this chapter by
31 a pledge of and the creation of a lien upon not only the proceeds of
32 any fuel tax authorized at the time of the issuance of such securities
33 to be used for such payment in subsection 6 of NRS 373.131, but
34 also the proceeds of any such tax thereafter authorized to be used or
35 pledged, or used and pledged, for the payment of such securities,
36 whether such tax be levied or collected by the county, the State of
37 Nevada, or otherwise, or be levied in at least an equivalent value in
38 lieu of any such tax existing at the time of the issuance of such
39 securities or be levied in supplementation thereof.

40 3. The pledges and liens authorized by subsections 1 and 2
41 extend to the proceeds of any tax collected for use by the county on
42 any fuel so long as any bonds or other securities issued under this
43 chapter remain outstanding and are not limited to any type or types
44 of fuel in use when the bonds or other securities are issued.



* A B 4 1 3 R 3 *

Sec. 11.1. NRS 373.160 is hereby amended to read as follows:

373.160 1. The ordinance or ordinances, or the resolution or resolutions, providing for the issuance of any bonds or other securities issued under this chapter payable from the receipts from the fuel excise taxes designated in this chapter may at the discretion of the board or, in the case of bonds or other securities issued by a commission, the commission, in addition to covenants and other provisions authorized in the Local Government Securities Law, contain covenants or other provisions as to the pledge of and the creation of a lien upon the receipts of the taxes collected for the county pursuant to the provisions of NRS 373.030, paragraph (d) of subsection 1 of NRS 373.065 and paragraphs (d) to (m), inclusive, of subsection 1 of NRS 373.066, *paragraphs (d) to (m), inclusive, of subsection 1 of section 1.1 of this act and paragraphs (d) to (h), inclusive, of subsection 1 of section 1.3 of this act*, excluding any tax proceeds to be distributed directly under the provisions of NRS 373.150, or the proceeds of the bonds or other securities pending their application to defray the cost of the project, or both such tax proceeds and security proceeds, to secure the payment of revenue bonds or other securities issued under this chapter.

2. If the board or, in the case of bonds or other securities issued by a commission, the commission, determines in any ordinance or resolution authorizing the issuance of any bonds or other securities under this chapter that the proceeds of the taxes levied and collected pursuant to the provisions of NRS 373.030, paragraph (d) of subsection 1 of NRS 373.065 and paragraphs (d) to (m), inclusive, of subsection 1 of NRS 373.066, *paragraphs (d) to (m), inclusive, of subsection 1 of section 1.1 of this act and paragraphs (d) to (h), inclusive, of subsection 1 of section 1.3 of this act* are sufficient to pay all bonds and securities, including the proposed issue, from the proceeds thereof, the board or, in the case of bonds or other securities issued by a commission, the commission with the consent of the board as provided in subsection 6 of NRS 373.131, may additionally secure the payment of any bonds or other securities issued pursuant to the ordinance or resolution under this chapter by a pledge of and the creation of a lien upon not only the proceeds of any fuel tax authorized at the time of the issuance of such securities to be used for such payment in subsection 6 of NRS 373.131, but also the proceeds of any such tax thereafter authorized to be used or pledged, or used and pledged, for the payment of such securities, whether such tax be levied or collected by the county, the State of Nevada, or otherwise, or be levied in at least an equivalent value in lieu of any such tax existing at the time of the issuance of such securities or be levied in supplementation thereof.



* A B 4 1 3 R 3 *

3. The pledges and liens authorized by subsections 1 and 2 extend to the proceeds of any tax collected for use by the county on any fuel so long as any bonds or other securities issued under this chapter remain outstanding and are not limited to any type or types of fuel in use when the bonds or other securities are issued.

Sec. 11.3. NRS 373.160 is hereby amended to read as follows:

373.160 1. The ordinance or ordinances, or the resolution or resolutions, providing for the issuance of any bonds or other securities issued under this chapter payable from the receipts from the fuel excise taxes designated in this chapter may at the discretion of the board or, in the case of bonds or other securities issued by a commission, the commission, in addition to covenants and other provisions authorized in the Local Government Securities Law, contain covenants or other provisions as to the pledge of and the creation of a lien upon the receipts of the taxes collected for the county pursuant to the provisions of NRS 373.030, paragraph (d) of subsection 1 of NRS 373.065 and paragraphs (d) to (m), inclusive, of subsection 1 of NRS 373.066, *and paragraphs (d) to (h), inclusive, of subsection 1 of section 1.3 of this act*, excluding any tax proceeds to be distributed directly under the provisions of NRS 373.150, or the proceeds of the bonds or other securities pending their application to defray the cost of the project, or both such tax proceeds and security proceeds, to secure the payment of revenue bonds or other securities issued under this chapter.

2. If the board or, in the case of bonds or other securities issued by a commission, the commission, determines in any ordinance or resolution authorizing the issuance of any bonds or other securities under this chapter that the proceeds of the taxes levied and collected pursuant to the provisions of NRS 373.030, paragraph (d) of subsection 1 of NRS 373.065 and paragraphs (d) to (m), inclusive, of subsection 1 of NRS 373.066 *and paragraphs (d) to (h), inclusive, of subsection 1 of section 1.3 of this act* are sufficient to pay all bonds and securities, including the proposed issue, from the proceeds thereof, the board or, in the case of bonds or other securities issued by a commission, the commission with the consent of the board as provided in subsection 6 of NRS 373.131, may additionally secure the payment of any bonds or other securities issued pursuant to the ordinance or resolution under this chapter by a pledge of and the creation of a lien upon not only the proceeds of any fuel tax authorized at the time of the issuance of such securities to be used for such payment in subsection 6 of NRS 373.131, but also the proceeds of any such tax thereafter authorized to be used or pledged, or used and pledged, for the payment of such securities, whether such tax be levied or collected by the county, the State of Nevada, or otherwise, or be levied in at least an equivalent value in



* A B 4 1 3 R 3 *

1 lieu of any such tax existing at the time of the issuance of such
2 securities or be levied in supplementation thereof.

3 3. The pledges and liens authorized by subsections 1 and 2
4 extend to the proceeds of any tax collected for use by the county on
5 any fuel so long as any bonds or other securities issued under this
6 chapter remain outstanding and are not limited to any type or types
7 of fuel in use when the bonds or other securities are issued.

8 **Sec. 11.5.** NRS 350.155 is hereby amended to read as follows:

9 350.155 1. Except as otherwise provided in subsection 2, a
10 municipality shall sell the bonds it issues by competitive bid if the
11 credit rating for the bonds or any other bonds of the municipality
12 with the same security, determined without regard to insurance for
13 the bonds or any other independent enhancement of credit, is rated
14 by a nationally recognized rating service as "A-," "A," "AA,"
15 "AAA," or their equivalents, 90 days before and on the day the
16 bonds are sold and:

17 (a) The bonds are general obligation bonds;

18 (b) The primary security for the bonds is an excise tax; or

19 (c) The bonds are issued pursuant to chapter 271 of NRS and are
20 secured by a pledge of the taxing power and the general fund of the
21 municipality.

22 2. The provisions of subsection 1 and NRS 350.175 and
23 350.185 do not apply to:

24 (a) Any bond which is issued with a variable rate of interest.

25 (b) A bond issue whose principal amount is \$1,000,000 or less.

26 (c) A bond issue with a term of 3 years or less.

27 (d) A bond issue for which an invitation for competitive bids
28 was issued and for which no bids were received or all bids were
29 rejected.

30 (e) Leases, contracts for purchase by installment and certificates
31 of participation if the obligations of the municipality thereunder will
32 terminate when the municipality fails to appropriate money to pay
33 that obligation for the next fiscal year.

34 (f) Economic development revenue bonds issued pursuant to the
35 city economic development revenue bond law or the county
36 economic development revenue bond law.

37 (g) Bonds sold by the municipality to:

38 (1) The United States or any agency or instrumentality
39 thereof;

40 (2) The State of Nevada;

41 (3) Any other municipality; or

42 (4) Not more than 10 investors, each of whom certifies that
43 he or she:

44 (I) Has a net worth of \$500,000 or more; and

45 (II) Is purchasing for investment and not for resale.



(h) Bonds which require unusual methods of financing, if the chief administrative officer of the municipality certifies in writing that the proposed method of financing:

(1) Has not been used previously by any municipality in this state; and

(2) May provide a substantial benefit to the municipality.

(i) Refunding bonds, if the chief administrative officer of the municipality certifies in writing that the use of a negotiated sale may provide a substantial benefit to the municipality which would not be available if the bonds were sold by competitive bid.

(j) Bonds which are sold at a time when, because of particular conditions in the market, a negotiated sale may provide a benefit to the municipality which would not be available if the bonds were sold by competitive bid, if the chief administrative officer of the municipality so certifies in writing.

(k) Bonds which are issued pursuant to chapter 271 of NRS and are not secured by a pledge of the taxing power and general fund of the municipality.

(l) Revenue bonds which are issued pursuant to chapter 350A of NRS and are secured by a pledge of the allocable local revenues of the municipality.

~~[(m) Revenue bonds which are sold pursuant to chapter 373 of NRS.]~~

3. The certificate required by paragraph (h) of subsection 2 must specifically describe the proposed method of financing. The certificate required by paragraph (i) of subsection 2 must specifically describe the circumstances that may provide a substantial benefit if the refunding bonds are negotiated. The certificate required by paragraph (j) of subsection 2 must specifically describe the particular conditions in the market which indicate that a negotiated sale of the bonds may provide a benefit to the municipality. Each certificate required pursuant to subsection 2 must be submitted to the governing body of the municipality at a regularly scheduled meeting of that body and include:

(a) The estimated amount of the benefit which will accrue to the municipality.

(b) If the municipality has a financial adviser, a written report prepared by that financial adviser which specifically describes the method of sale which will be used for the proposed financing.

4. A copy of:

(a) The certificate required by paragraph (h), (i) or (j) of subsection 2; and

(b) The report required pursuant to subsection 3,

➔ must be filed with the debt management commission of the county where the municipality is located, the county clerk and the



1 Department of Taxation. Before entering into a contract to sell
2 bonds, at least two-thirds of the members of the governing body of
3 the municipality must approve the certificate.

4 5. If a municipality is required to sell the bonds it issues by
5 competitive bid pursuant to the provisions of this section, it must
6 cause an invitation for competitive bids, or notice thereof, to be
7 published before the date of the sale in the daily or weekly version
8 of the Bond Buyer, published at One State Street Plaza in New York
9 City, New York, or any successor publication.

10 6. As used in this section, "invitation for competitive bids"
11 means a process by which sealed bids or the reasonable equivalent
12 thereof, as approved by the governing body of a municipality, are
13 solicited, received and publicly opened at a specified time, place and
14 date.

15 **Sec. 12.** If an ordinance authorized by section 1.1 of this act is
16 not adopted before October 1, 2013:

17 1. A question must be placed on the ballot at the general
18 election on November 8, 2016, in each county in this State which
19 asks the voters whether to authorize the State to impose, for the
20 period beginning on January 1, 2017, and ending on December 31,
21 2026, the taxes authorized by section 1.2 of this act and the
22 increases in those taxes authorized by that section.

23 2. A question must be placed on the ballot at the general
24 election on November 8, 2016, in each county in this State other
25 than Washoe County, which asks the voters in the county whether to
26 authorize the board of county commissioners of the county to
27 impose, for the period beginning on January 1, 2017, and ending on
28 December 31, 2026, the taxes authorized by section 1.3 of this act
29 and the additional annual increases in those taxes authorized by that
30 section.

31 **Sec. 13.** If an ordinance authorized by section 1.1 of this act is
32 adopted before October 1, 2013:

33 1. A question must be placed on the ballot at the general
34 election on November 8, 2016, in each county in this State which
35 asks the voters whether to authorize the State to impose, for the
36 period beginning on January 1, 2017, and ending on December 31,
37 2026, the taxes authorized by section 1.2 of this act and the
38 increases in those taxes authorized by that section.

39 2. A question must be placed on the ballot at the general
40 election on November 8, 2016, in each county in this State other
41 than Clark County and Washoe County, which asks the voters in the
42 county whether to authorize the board of county commissioners of
43 the county to impose, for the period beginning on January 1, 2017,
44 and ending on December 31, 2026, the taxes authorized by section



* A B 4 1 3 R 3 *

1 1.3 of this act and the additional annual increases in those taxes
2 authorized by that section.

3 **Sec. 14.** 1. This section and sections 1, 1.1, 1.7, 1.75, 2, 3, 4,
4 5, 6, 7, 8, 9, 10, 11 and 11.5 of this act become effective upon
5 passage and approval.

6 2. Section 12 of this act becomes effective on October 1, 2013,
7 if and only if a board of county commissioners does not adopt an
8 ordinance authorized by section 1.1 of this act before October 1,
9 2013.

10 3. Section 13 of this act becomes effective on October 1, 2013,
11 if and only if a board of county commissioners adopts an ordinance
12 authorized by section 1.1 of this act before October 1, 2013.

13 4. Sections 1.2, 1.5, 3.2 and 8.2 of this act become effective on
14 January 1, 2017, if:

15 (a) A board of county commissioners adopts an ordinance
16 authorized by section 1.1 of this act before October 1, 2013;

17 (b) The question placed on the ballot at the general election on
18 November 8, 2016, pursuant to subsection 1 of section 13 of this act
19 is approved by a majority of the registered voters in this State voting
20 on the question; and

21 (c) The question placed on the ballot at the general election on
22 November 8, 2016, pursuant to subsection 2 of section 13 of this act
23 is not approved by a majority of the registered voters in every
24 county in this State voting on the question.

25 5. Sections 1.2, 1.3, 1.5, 1.8, 1.85, 2.3, 3.1, 4.3, 5.3, 6.3, 7.3,
26 8.1, 9.3, 10.3 and 11.1 of this act become effective on January 1,
27 2017, if:

28 (a) A board of county commissioners adopts an ordinance
29 authorized by section 1.1 of this act before October 1, 2013;

30 (b) The question placed on the ballot at the general election on
31 November 8, 2016, pursuant to subsection 1 of section 13 of this act
32 is approved by a majority of the registered voters in this State voting
33 on the question; and

34 (c) The question placed on the ballot at the general election on
35 November 8, 2016, pursuant to subsection 2 of section 13 of this act
36 is approved by a majority of the registered voters in any county in
37 this State voting on the question.

38 6. Sections 1.3, 1.8, 1.85, 2.3, 3.3, 4.3, 5.3, 6.3, 7.3, 8.3, 9.3,
39 10.3 and 11.1 of this act become effective on January 1, 2017, if:

40 (a) A board of county commissioners adopts an ordinance
41 authorized by section 1.1 of this act before October 1, 2013;

42 (b) The question placed on the ballot at the general election on
43 November 8, 2016, pursuant to subsection 1 of section 13 of this act
44 is not approved by a majority of the registered voters in this State
45 voting on the question; and



(c) The question placed on the ballot at the general election on November 8, 2016, pursuant to subsection 2 of section 13 of this act is approved by a majority of the registered voters in any county in this State voting on the question.

7. Sections 1.2, 1.5, 3.7 and 8.7 of this act become effective on January 1, 2017, if:

(a) A board of county commissioners does not adopt an ordinance authorized by section 1.1 of this act before October 1, 2013;

(b) The question placed on the ballot at the general election on November 8, 2016, pursuant to subsection 1 of section 12 of this act is approved by a majority of the registered voters in this State voting on the question; and

(c) The question placed on the ballot at the general election on November 8, 2016, pursuant to subsection 2 of section 12 of this act is not approved by a majority of the registered voters in every county in this State voting on the question.

8. Sections 1.2, 1.3, 1.5, 1.9, 1.95, 2.7, 3.5, 4.7, 5.7, 6.7, 7.7, 8.5, 9.7, 10.7 and 11.3 of this act become effective on January 1, 2017, if:

(a) A board of county commissioners does not adopt an ordinance authorized by section 1.1 of this act before October 1, 2013;

(b) The question placed on the ballot at the general election on November 8, 2016, pursuant to subsection 1 of section 12 of this act is approved by a majority of the registered voters in this State voting on the question; and

(c) The question placed on the ballot at the general election on November 8, 2016, pursuant to subsection 2 of section 12 of this act is approved by a majority of the registered voters in any county in this State voting on the question.

9. Sections 1.3, 1.9, 1.95, 2.7, 3.9, 4.7, 5.7, 6.7, 7.7, 8.9, 9.7, 10.7 and 11.3 of this act become effective on January 1, 2017, if:

(a) A board of county commissioners does not adopt an ordinance authorized by section 1.1 of this act before October 1, 2013;

(b) The question placed on the ballot at the general election on November 8, 2016, pursuant to subsection 1 of section 12 of this act is not approved by a majority of the registered voters in this State voting on the question; and

(c) The question placed on the ballot at the general election on November 8, 2016, pursuant to subsection 2 of section 12 of this act is approved by a majority of the registered voters in any county in this State voting on the question.



1 10. Sections 1.1, 1.7, 1.75, 2, 3, 4, 5, 6, 7, 8, 9, 10 and 11 of
2 this act expire by limitation on October 1, 2013, if a board of county
3 commissioners does not adopt an ordinance authorized by section
4 1.1 of this act before October 1, 2013.

