

Amendment No. 467

Senate Amendment to Senate Bill No. 386	(BDR 32-737)
Proposed by: Senate Committee on Revenue and Economic Development	
Amends: Summary: No Title: No Preamble: No Joint Sponsorship: No Digest: Yes	

ASSEMBLY ACTION				Initial and Date	SENATE ACTION				Initial and Date
Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>	_____	Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>	_____
Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____	Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____
Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____	Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____

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



SENATE BILL NO. 386—SENATORS SETTELMAYER, HARDY, GOICOECHEA, PICKARD,
KIECKHEFER; HANSEN AND SPEARMAN

MARCH 20, 2019

Referred to Committee on Revenue and
Economic Development

SUMMARY—Revises provisions governing certain tax exemptions for veterans.
(BDR 32-737)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.
Effect on the State: No.

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

AN ACT relating to the taxation of property; revising the requirements to receive a partial exemption from certain property taxes for certain persons who served in the Armed Forces of the United States; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law provides a partial exemption from property taxes for the property of bona fide residents of this State who served on active duty ~~for~~ *in* the Armed Forces of the United States during certain periods of declared or enumerated armed conflict and who received, upon their severance from service, an honorable discharge or certificate of satisfactory service or who are still serving. (NRS 361.090) This bill revises the requirements to receive this tax exemption ~~[. This bill eliminates the condition that a veteran's active duty must have been served during a designated period of armed conflict. This bill also clarifies that the requirement that the veteran must have received an honorable discharge is satisfied by receipt of an equivalent discharge. Finally, this bill specifies that a general discharge under honorable conditions, or its equivalent, is not sufficient for this exemption.]~~ *to include persons who have: (1) served a minimum of 90 continuous days on active duty on or after December 20, 1989, or have served in the National Guard for 6 years or more; and (2) received an honorable discharge or certificate of satisfactory service or are still serving.*

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

Section 1. NRS 361.090 is hereby amended to read as follows:

361.090 1. The property, to the extent of \$2,000 assessed valuation, of any actual bona fide resident of the State of Nevada who ~~:~~
(a) Has served a minimum of 90 continuous days on active duty, who was assigned to active duty at some time between April 21, 1898, and June 15, 1903, or between April 6, 1917, and November 11, 1918, or between December 7, 1941, and December 31, 1946, or between June 25, 1950, and May 7, 1975, or between

September 26, 1982, and December 1, 1987, or between October 23, 1983, and November 21, 1983, or ~~between~~ on or after December 20, 1989, ~~;~~ and January 31, 1990, or between August 2, 1990, and April 11, 1991, or between December 5, 1992, and March 31, 1994, or between November 20, 1995, and December 20, 1996.}

(b) Has served on active duty in connection with carrying out the authorization granted to the President of the United States in Public Law 102-1; ~~for~~

(c) Has served on active duty in connection with a campaign or expedition for service in which a medal has been authorized by the Government of the United States, regardless of the number of days served on active duty ~~for~~ ; or

(d) Has served in the National Guard for 6 years or more,

~~or served on active duty in the Armed Forces of the United States}~~ and who received, upon severance from service, an honorable discharge ~~for its equivalent,~~ or ~~for~~ certificate of satisfactory service from the Armed Forces of the United States, or who having so served, is still serving in the Armed Forces of the United States, is exempt from taxation. ~~[A general discharge under honorable conditions, or its equivalent, is not sufficient for this exemption.]~~

2. For the purpose of this section, the first \$2,000 assessed valuation of property in which an applicant has any interest shall be deemed the property of the applicant.

3. The exemption may be allowed only to a claimant who files an affidavit with his or her claim for exemption on real property pursuant to NRS 361.155. The affidavit may be filed at any time by a person claiming exemption from taxation on personal property.

4. The affidavit must be made before the county assessor or a notary public and filed with the county assessor. It must state that the affiant is a bona fide resident of the State of Nevada who meets all the other requirements of subsection 1 and that the exemption is not claimed in any other county in this State. After the filing of the original affidavit, the county assessor shall, except as otherwise provided in this subsection, mail a form for:

(a) The renewal of the exemption; and

(b) The designation of any amount to be credited to the Gift Account for the Veterans Home in Southern Nevada or the Gift Account for the Veterans Home in Northern Nevada established pursuant to NRS 417.145,

to the person each year following a year in which the exemption was allowed for that person. The form must be designed to facilitate its return by mail by the person claiming the exemption. If so requested by the person claiming the exemption, the county assessor may provide the form to the person by electronic means in lieu of by mail. The county assessor may authorize the return of the form by electronic means in accordance with the provisions of chapter 719 of NRS.

5. Persons in actual military service are exempt during the period of such service from filing the annual forms for renewal of the exemption, and the county assessors shall continue to grant the exemption to such persons on the basis of the original affidavits filed. In the case of any person who has entered the military service without having previously made and filed an affidavit of exemption, the affidavit may be filed in his or her behalf during the period of such service by any person having knowledge of the facts.

6. Before allowing any veteran's exemption pursuant to the provisions of this chapter, the county assessor shall require proof of status of the veteran, and for that purpose shall require production of an honorable discharge ~~for its equivalent,~~ or ~~for~~ certificate of satisfactory service or a certified copy thereof, or such other proof of status as may be necessary.

1 7. If any person files a false affidavit or produces false proof to the county
2 assessor or a notary public and, as a result of the false affidavit or false proof, the
3 person is allowed a tax exemption to which the person is not entitled, the person is
4 guilty of a gross misdemeanor.

5 8. Beginning with the 2005-2006 Fiscal Year, the monetary amounts in
6 subsections 1 and 2 must be adjusted for each fiscal year by adding to the amount
7 the product of the amount multiplied by the percentage increase in the Consumer
8 Price Index (All Items) from July 2003 to the July preceding the fiscal year for
9 which the adjustment is calculated. The Department shall provide to each county
10 assessor the adjusted amount, in writing, on or before September 30 of each year.

11 **Sec. 2.** This act becomes effective on July 1, 2019.