

**MINUTES OF THE
SENATE COMMITTEE ON REVENUE AND ECONOMIC DEVELOPMENT**

**Eighty-first Session
May 30, 2021**

The Senate Committee on Revenue and Economic Development was called to order by Chair Dina Neal at 7:16 p.m. on Sunday, May 30, 2021, Online and in Room 2149 of the Legislative Building, Carson City, Nevada. [Exhibit A](#) is the Agenda. All exhibits are available and on file in the Research Library of the Legislative Counsel Bureau.

COMMITTEE MEMBERS PRESENT:

Senator Dina Neal, Chair
Senator Julia Ratti, Vice Chair
Senator Moises Denis
Senator Ben Kieckhefer
Senator Heidi Seevers Gansert

STAFF MEMBERS PRESENT:

Russell Guindon, Principal Deputy Fiscal Analyst
Joe Reel, Deputy Fiscal Analyst
Michael Nakamoto, Deputy Fiscal Analyst
Alex Polley, Committee Secretary

CHAIR NEAL:

We will start the work session on Assembly Bill (A.B.) 363.

ASSEMBLY BILL 363 (1st Reprint): Revises provisions governing transient lodging. (BDR 20-636)

JOE REEL (Deputy Fiscal Analyst):

Assembly Bill 363 is sponsored by Assemblywoman Rochelle T. Nguyen and Assemblyman Tom Roberts and was heard by the Committee on May 29. The bill is summarized on the work session document ([Exhibit B](#)). There are three amendments. The third was brought forward by Senator Neal following the hearing on the bill.

CHAIR NEAL:

The conceptual amendment provides a compliance period for Clark County only. The only entities eligible for the compliance period are owners of a residential unit who have listed or advertised with an accommodations facilitator prior to June 1. This language brings in all preexisting short-term rental owners operating prior to June 1. These persons may apply to a county with over 700,000 in population when authorization becomes available by county ordinance pursuant to A.B. 363. The effective date of A.B. 363 is January 1, 2022.

The compliance period shall be open for six months after the ordinance is adopted for the eligible population. The entities must be licensed and the owners must show they will comport with all statutory requirements established by A.B. 363 and the ordinance. The County may assess a reasonable fee for application.

The County may not ask for back transient lodging taxes because the activity was not permitted and there was no tax being applied in the jurisdiction. The transient lodging tax can only be assessed prospectively. The County cannot retroactively assess or require the payment of any back penalties due to illegal behavior as a condition for coming into compliance.

The County must give a minimum 30-day notice in advance that the compliance period will open and set forth the process and conditions of the form of the application. The County may prescribe any other conditions for compliance and establish a cap for applications.

The County may set a cap for how many applications it will receive under the compliance period. The County must give 50 percent of the established cap to natural persons who are noncorporate operators. Petitioners under compliance have no vested right to challenge the compliance period for inclusion or exclusion because they operated without permission under the existing ordinance.

The conceptual amendment excludes Boulder City and Mesquite. Assembly Bill 363 excludes cities under 30,000 in population from the provisions of the bill. Cities can create enabling ordinances in the future. This part of the conceptual amendment was requested by Boulder City.

SENATOR RATTI MOVED TO AMEND AND DO PASS AS AMENDED
A.B. 363.

SENATOR DENIS SECONDED THE MOTION.

SENATOR SEEVERS GANSERT:

I support the compliance period and removing smaller municipalities in the conceptual amendment.

SENATOR KIECKHEFER:

I will vote yes on A.B. 363, but I will reserve my right to change my vote. I want to review the conceptual amendment more thoroughly.

SENATOR DENIS:

The conceptual amendment will help the people that A.B. 363 will impact the most.

SENATOR RATTI:

The conceptual amendment is a nice compromise. It maintains the goal of A.B. 363, which is to not impact neighborhoods and have distances of separation. The compliance period provides an opportunity for people who worked illegally to now operate legally. There will be properties that will not be able to comport with A.B. 363 and continue to operate. However, the majority will become compliant, and we want to provide a path to compliance.

THE MOTION CARRIED UNANIMOUSLY.

* * * * *

Senate Committee on Revenue and Economic Development
May 30, 2021
Page 4

CHAIR NEAL:

Seeing no public comment, the meeting is adjourned at 7:25 p.m.

RESPECTFULLY SUBMITTED:

Alex Polley,
Committee Secretary

APPROVED BY:

Senator Dina Neal, Chair

DATE: _____

EXHIBIT SUMMARY				
Bill	Exhibit Letter	Begins on Page	Witness / Entity	Description
	A	1		Agenda
A.B. 363	B	1	Joe Reel	Work Session Document