

**PROPOSED REGULATION OF THE
NEVADA TAX COMMISSION**

LCB FILE NO. R111-26I

**The following document is the initial draft regulation proposed
by the agency submitted on 05/11/2026**

**New Reg for SB460 to outline the process for organizations that offer
scholarships to provide information to the Department**

PROPOSED REGULATION OF THE
NEVADA TAX COMMISSION

May 11, 2026

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

AUTHORITY: NRS 360.090, NRS 363A.139, NRS 363B.119 and sections 31.5 and 31.6 of Senate Bill 460 (2025).

A REGULATION relating to taxation; prescribing requirements governing the reporting of certain donations to scholarship organizations for which a tax credit may be claimed; establishing procedures for submission and verification of such reports; and providing other matters properly relating thereto.

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

Sec 2. *(New section) Reporting of donations to scholarship organizations.*

1. *As used in this section, unless the context otherwise requires:*

(a) "Department" means the Nevada Department of Taxation.

(b) "Donation" means a contribution of money made by a taxpayer to a scholarship organization for which a tax credit may be claimed pursuant to NRS 363A.139 or NRS 363B.119.

(c) "Scholarship organization" has the meaning ascribed to it in NRS 388D.260.

(d) "Tax credit program" means the Nevada Educational Choice Scholarship Program.

(e) "Taxpayer" means a person or entity eligible to claim a tax credit pursuant to NRS 363A.139 or NRS 363B.119.

2. A scholarship organization shall, not later than 10 days after receiving a donation, submit to the Department a report of the donation.

3. For the purposes of this section, a donation shall be deemed to be received on the date on which the money is deposited or otherwise made available to the scholarship organization for its use.

4. The report required pursuant to subsection 2 must be submitted in a manner prescribed by the Department and must include, without limitation:

(a) The name and taxpayer identification number of the donor;

(b) The amount of the donation;

(c) The date on which the donation and/or forfeiture was received;

(d) The tax credit program number assigned by the Department;

(e) The remit and/or forfeiture amount;

(f) The date in which the scholarship organization notified the taxpayer of the approved donation amount; and

(g) Any other information required by the Department to administer the provisions of NRS 363A.139 and NRS 363B.119.

5. A report submitted pursuant to this section must be submitted electronically using a system designated by the Department. A report shall be deemed filed on the date on which the report is accepted by the system.

6. If a scholarship organization determines that a report submitted pursuant to this section contains an error, the scholarship organization shall submit a corrected report not later than 5 business days after discovering the error.

7. The Department may request additional documentation from a scholarship organization to verify any information reported pursuant to this section.

8. Each scholarship organization shall maintain records of each donation for not less than 5 years and shall make such records available to the Department upon request.

Sec 3. (New section) *Coordination with Department of Education.*

1. The Department will accept from the Department of Education the list of scholarship organizations submitted pursuant to section 31.6 of Senate Bill 460 (2025).

2. *The Department may use the list described in subsection 1 to verify the eligibility of a scholarship organization to receive donations for which a tax credit may be claimed.*
3. *If the Department determines that a discrepancy exists between a report submitted pursuant to section 2 of this regulation and information provided by the Department of Education, the Department may:*
 - (a) *Request additional information from the scholarship organization; and*
 - (b) *Delay or deny the processing of any tax credit associated with the donation until the discrepancy is resolved.*

Sec 4. *(New section) Failure to comply.*

1. *Failure of a scholarship organization to comply with the requirements of section 2 of this regulation may result in the delay or denial of any tax credit associated with a donation reported pursuant to that section.*
2. *Before taking action pursuant to subsection 1, the Department may provide a period of not more than 15 days for the scholarship organization to cure any deficiency.*

Sec 5. *(New section) Confidentiality.*

1. *Any information received by the Department pursuant to this regulation that identifies a taxpayer is confidential and must be protected in accordance with applicable state and federal law.*