

**PROPOSED REGULATION OF THE  
STATE BOARD OF EQUALIZATION**

**LCB FILE NO. R138-26I**

**The following document is the initial draft regulation proposed  
by the agency submitted on 06/17/2026**

# Updates to Chapter 361 (SBE)

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

## **NAC 361.753 Opinions: Form; contents; issuance; delivery; appeals. (NRS 361.375)**

1. Advisory opinions must:

(a) Be written;

(b) Include a statement of facts, question, analysis and opinion;

(c) Be issued by the Secretary ~~[within 45]~~ *not later than 60* days after *the date the Department sends the petitioner a letter acknowledging receipt* ~~[filing]~~ of the petition.

*If the Secretary requests additional information from the petitioner, the Secretary shall issue the advisory opinion not later than 60 days after the petitioner submits the additional information.* ~~[unless]~~ *†* The Secretary *may*, in writing, *extend either period for not more than an additional* ~~[orders an extension of time up to a maximum of]~~ 60 days ~~[after filing]~~; and

(d) Be delivered to the petitioner in person or by certified mail~~[,]~~, *unless the petitioner agrees in writing to accept delivery by electronic means.*

2. *The Secretary may refuse to issue an advisory opinion if:*

(a) *The petition is not requested by or on behalf of a specifically identified person to whom the facts and circumstances set forth in the petition apply;*

(b) *The question or issue raised in the petition is subject of a pending audit involving the petitioner or a pending administrative, civil, criminal or judicial proceeding in which the petitioner is a party; or*

(c) *The petition does not comply with the requirements of subsection 2 of NAC 361.749*

3. *An Advisory opinion:*

(a) *Is limited to the facts and circumstances set forth in the petition and any additional information submitted by the petitioner; and*

(b) *Is not applicable if the facts or circumstances are materially different from those set forth in the advisory opinion.*

4. *Advisory opinions are confidential pursuant to chapter 360.255 of NRS*

5. Advisory opinions of the Secretary are appealable to the State Board in the same manner as ~~[any other]~~ a valuation decision *but are not considered a contested case under chapter 233B of NRS.*