

**PROPOSED REGULATION OF THE
COMMITTEE ON LOCAL GOVERNMENT FINANCE**

LCB File No. R139-26

July 10, 2026

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

AUTHORITY: § 1, NRS 233B.120 and 354.107.

A REGULATION relating to local government finance; requiring the Executive Director of the Department of Taxation to take certain actions upon the receipt of a petition for an advisory opinion concerning matters within the jurisdiction of the Committee on Local Government Finance; revising provisions governing the period within which the Director must issue an advisory opinion; authorizing the Director to deliver an advisory opinion by electronic means under certain circumstances; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law creates the Committee on Local Government Finance and authorizes the Committee to adopt regulations and take certain other actions necessary to administer provisions of law, including the Local Government Budget and Finance Act, which establish certain requirements, procedures and limitations relating to the financial administration of local governments. (NRS 354.105, 354.107, 354.470-354.725) Existing law requires certain agencies of the Executive Department of State Government to provide by regulation for the filing and prompt disposition of petitions for advisory opinions as to the applicability of any statutory provision, agency regulation or decision of the agency. (NRS 233B.031, 233B.120) Existing regulations authorize any person to petition the Executive Director of the Department of Taxation for an advisory opinion concerning matters within the jurisdiction of the Committee and establishes procedures for the issuance of such an advisory opinion. (NAC 354.940, 354.942)

This regulation requires the Director, upon receipt of a petition for an advisory opinion, to issue and send to the petitioner a written acknowledgment of receipt of the petition. This regulation also requires the Director, if the Director determines that additional information from the petitioner is necessary to render the advisory opinion, to notify the petitioner in writing as soon as practicable of the specific information necessary to render the advisory opinion.

Existing regulations require the Director to issue an advisory opinion within 45 days after the filing of the petition for the advisory opinion, unless the Director orders an extension of time up to a maximum of 60 days after the filing of the petition. (NAC 354.942) This regulation instead requires the Director to issue the advisory opinion within: (1) 60 days after the Director issues the written acknowledgment of receipt of the petition; or (2) if the Director has requested

additional information from the petitioner, 60 days after the Director's receipt of the additional information. This regulation also authorizes the Director extend for a period not to exceed 60 additional days the applicable time period prescribed for issuing the advisory opinion.

Existing regulations require the Director to deliver an advisory opinion by certified mail. (NAC 354.942) This regulation authorizes the Director to deliver an advisory opinion by electronic means, if the petitioner has provided the Director with written authorization to deliver the advisory opinion by electronic means.

Section 1. NAC 354.942 is hereby amended to read as follows:

354.942 1. ~~{Advisory opinions}~~ *Upon receipt of a petition for an advisory opinion submitted pursuant to NAC 354.940, the Director shall issue and send to the petitioner a written acknowledgment of receipt of the petition. If the Director determines after receipt of the petition that additional information from the petitioner is necessary to render the requested advisory opinion, the Director shall, as soon as practicable after making that determination, notify and request from the petitioner in writing the specific information necessary to render the advisory opinion.*

2. *An advisory opinion* must:

- (a) Be written;
- (b) Include a statement of facts, question, analysis and opinion;
- (c) ~~{Be}~~ *Except as otherwise provided in subsection 3, be* issued by the Director within ~~{45}~~ 60 days after ~~{the filing of}~~ *sending the acknowledgment of receipt of the petition pursuant to subsection 1*, unless the Director ~~{in writing orders an extension of time up to a maximum of 60 days after filing;}~~ *requests additional information from the petitioner pursuant to subsection 1, in which case the advisory opinion must be issued by the Director within 60 days after receipt of the requested information;* and
- (d) Be delivered to the petitioner in person , ~~{or}~~ by certified mail ~~{-~~

~~2. Advisory opinions~~ or by electronic means, if the petitioner has authorized the Director in writing to deliver the advisory opinion by electronic means.

3. The Director may extend for not more than 60 additional days the applicable period of time provided by paragraph (c) of subsection 2 for issuing an advisory opinion if the Director determines that such additional time is necessary to render a complete and adequate advisory opinion.

4. An advisory opinion issued by the Director ~~are~~ is appealable to the Committee. An appeal of an advisory opinion issued by the Director must be filed not later than 20 days after receipt of the advisory opinion and state with particularity the issues presented, the points of law or fact on which the party relies and the relief requested.

~~13.1~~ 5. If a person files an appeal of an advisory opinion pursuant to subsection ~~12.1~~ 4, the Committee will hold a hearing on the advisory opinion. The Committee will provide notice of the hearing to the person who filed the appeal not later than 15 days before the hearing.

~~14.1~~ 6. After the close of a hearing held pursuant to subsection ~~13.1~~ 5, the Committee will issue an order that adopts, reverses or modifies, in whole or in part, the advisory opinion issued by the Director. The Director shall issue the written order and an advisory opinion that reflects the order not later than 60 days after the order is made.