

LCB File No. R084-07

**PROPOSED REGULATION OF THE
NEVADA TAX COMMISSION**

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

AUTHORITY: NRS 360.090 and §§ 15 and 15.5 of chapter 539, Statutes of Nevada 2007.

Section 1. Chapter 360 of NAC is hereby amended by adding thereto a new section to read as follows:

For the purposes of:

1. Subsection 5 of section 15 of chapter 539, Statutes of Nevada 2007, the Department of Taxation shall interpret the term:

(a) “Building” to mean a building or other structure that:

(1) Meets the requirements of paragraphs (a), (b) and (c) of that subsection; and
(2) Is described in the application for registration of the construction project with the Office of Energy for the purpose of obtaining the tax exemption provided pursuant to paragraph (d) of subsection 1 of NRS 374.307, as amended by chapter 2, Statutes of Nevada 2005, 22nd Special Session, at page 71,

↪ other than any building or other structure for which the principal use is as a residential dwelling for not more than four families.

(b) “Products and materials” to include, without limitation:

(1) Construction materials and components, including, without limitation, concrete, bricks, caulking material, insulation, lumber, steel, tile, wallboard, doors, glass, paint, plaster, roofing, sheet metal and windows; and

(2) Any tangible personal property intended to and which becomes a fixture, including, without limitation, air conditioning units, awnings, prefabricated cabinets, elevators, furnaces, lighting fixtures, plumbing fixtures, signs, and television antennas.

(c) “Used in the construction of a building” to mean attached to or incorporated into a building by a contractor in the performance of a construction contract in such a manner as to:

(1) Become an integral or inseparable part of the building; or

(2) Become a fixture to the building.

2. Section 15.5 of chapter 539, Statutes of Nevada 2007, the Department of Taxation shall interpret the term “building or other structure” to mean a building or other structure that:

(a) Meets the requirements of paragraphs (a), (b) and (c) of subsection 1 of that section; and

(b) Is described in the application for registration of the construction project with the Office of Energy for the purpose of obtaining the partial abatement of taxes provided pursuant to the former provisions of NRS 361.0775,

↪ other than any building or other structure for which the principal use is as a residential dwelling for not more than four families.