

LCB File No. R117-09

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

(This regulation was previously adopted as T051-09)

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

AUTHORITY: §§1-5; NRS 354.107, 354.280 and 387.175

A REGULATION relating to local financial administration; providing for the administration of county records of the county school district fund; and providing other matters properly relating thereto.

Section 1. Chapter 354 of NAC is hereby amended by adding thereto the provisions set forth as sections 1 to 11, inclusive, of this regulation.

Sec. 2. *As used in sections 2 to 11, inclusive, of this regulation, unless the context otherwise requires, the terms defined in sections 3 through 6 of this regulation have the meaning ascribed to them in those sections.*

Sec. 3. *“Centrally assessed roll” has the meaning ascribed to it in NRS 361.3205.*

Sec. 4. *“Property tax receipts” means property taxes collected from any of the following, without limitation:*

- 1. Property tax on real and personal property and paid pursuant to NRS 361.483;*
- 2. Deferred tax on real property previously held for agricultural or open space use and paid pursuant to NRS 361A.280;*
- 3. Property tax on personal property or other property on the unsecured roll and paid pursuant to NRS 361.505, NRS 361.767, NRS 361.769, or NRS 361.770.*
- 4. Property tax on property assessed by the Nevada Tax Commission pursuant to NRS 361.320 and paid pursuant to NRS 361.3205; and*

5. Net proceeds of mineral tax appropriated to each county pursuant to NRS 362.170.

↳except that property tax receipts do not include franchise fees, oil and gas lease payments, Fish & Game fees, or payments made by the federal government in lieu of taxes.

Sec. 5. "Secured tax roll" has the meaning ascribed to it in NRS 361.260.

Sec. 6. "Unsecured tax roll" has the meaning ascribed to it in NRS 361.260.

Sec. 7. Each county tax receiver shall file with the local school district, the Department of Taxation and the Department of Education, on or before August 1 of the current fiscal year, a preliminary summary report of the total amount of all property tax receipts received for the prior fiscal year through June 30. The preliminary report must not duplicate any amounts previously reported in the prior fiscal year.

Sec. 8. The preliminary summary report shall include the following information: 1. The total county collection by tax receipt type, including:

a.) Total taxes collected on the secured roll for the prior fiscal year;

b.) Total taxes collected on the unsecured roll for the prior fiscal year;

c.) Total taxes collected on the centrally-assessed roll for the prior fiscal year;

d.) Total net proceeds of minerals taxes distributed by the Department of Taxation for the immediately preceding calendar year;

e.) Total net proceeds of minerals taxes distributed by the Department of Taxation for the current calendar year;

f.) Total delinquent tax receipts for fiscal year 2004-2005 and years prior to 2004-2005;

g.) Total delinquent tax receipts for fiscal year 2005-2006 through all subsequent years except the current fiscal year;

h.) Grand total of all receipts for items (a) through (g);

- i.) The total amount of commission pursuant to NRS 361.530; and*
 - j.) Grand total of all receipts for items (a) through (g) less the total amount of commission pursuant to NRS 361.530.*
- 2. The public school operating tax distribution, using a rate of levy of .0075, as follows:*
- (a) The portion of the total taxes collected on the secured roll from the prior fiscal year and distributed to the school district;*
 - (b) The portion of the total taxes collected on the unsecured roll from the prior fiscal year and distributed to the school district;*
 - (c) The portion of the total taxes collected on the centrally-assessed roll from the prior fiscal year and distributed to the school district;*
 - (d) The portion of the total net proceeds of mineral taxes distributed in the preceding fiscal year and available to the school district in the current fiscal year pursuant to NRS 387.195(2);*
 - (e) The portion of the total net proceeds of mineral taxes distributed by the Department of Taxation from the immediately preceding calendar year and distributed to the school district;*
 - (f) The portion of the total net proceeds of minerals taxes distributed by the Department of Taxation for the current calendar year and distributed to the school district;*
 - (g) The portion of the total delinquent tax receipts for fiscal year 2004-2005 and years prior to 2004-2005 distributed to the school district;*
 - (h) The portion of the total delinquent tax receipts for fiscal year 2005-2006 through all subsequent years except the current fiscal year distributed to the school district;*
 - (i) Grand total of all receipts for items (a) through (g);*
 - (j) The total amount of commission pursuant to NRS 361.530; and*

(k) Grand total of all receipts for items (a) through (g) less the total amount of commission pursuant to NRS 361.530.

Sec. 9. Each school district shall send a reconciliation report to the Department of Education, Department of Taxation and the county tax receiver no later than August 10 of the current fiscal year. If the total amount of receipts or deductions reported by the school district differs from the preliminary summary report of the county tax receiver by more than three percent (3%) in any category, representatives of the school district and the county tax receiver shall jointly determine the cause of the difference.

Sec. 10. The tax receiver shall make any necessary reconciliation adjustments to the preliminary summary report and send a copy of the summary report as adjusted to the county school district, the Department of Education and the Department of Taxation no later than August 15 of the current fiscal year. The report must include the reasons for any differences in the total amount of receipts or deductions greater than 3% between the school district and the county treasurer as provided in section 9.

Sec. 11. Each county tax receiver shall file with the local school district, the Department of Taxation and the Department of Education, on or before September 10 of the current fiscal year, a final summary report of the total amount of all property tax receipts received for the prior fiscal year. The final summary report must include all items in subsection 8 of these regulations plus any amounts received during July and August of the current fiscal year which are posted to the prior fiscal year. The amounts so reported must not be duplicated in any subsequent year preliminary report. The information so reported must be accounted for in the subsequent fiscal year collection report.