

**LEGISLATIVE REVIEW OF ADOPTED REGULATIONS AS REQUIRED BY  
ADMINISTRATIVE PROCEDURES ACT, NRS 233B.066**

**LCB FILE R018-17**

**Regulation on Improvement to or Change in Actual or Authorized use of a property**

The following statement is submitted for amendments, additions and deletions, to Nevada Administrative Code (NAC) 361 adopted by the Nevada Tax Commission.

**1. The Need for and Purpose of the Regulation.**

The need and purpose of the adopted regulation, **LCB File No. R018-17**, is to provide guidance to county assessors regarding Improvement to or Change in Actual or Authorized Use of Property, to bring these provisions in line with the calculation of the abatement for Remainder Parcels in NAC 361.61038

**2. A description of how public comment was solicited, a summary of public response, and an explanation how other interested persons may obtain a copy of the summary.**

The Department of Taxation (Department), as staff to the Nevada Tax Commission (“NTC”) solicited comment from the public by sending notice of workshops and hearing by electronic or regular mail as follows:

<b><u>Date of Notice</u></b>	<b><u>Workshop/ Hearing</u></b>	<b><u>Date of Workshop/Hearing</u></b>	<b><u>Number Notified</u></b>	<b><u>Representing Businesses</u></b>
05-15-2017	Workshop	05-31-2017	222	100
10-25-2017	Adoption Hearing	12-04-2017	222	100

The mailing list included the interested parties list maintained by the Department, as well as officials of local governments. These documents were also made available on the website of the Department of Taxation, [www.tax.nv.gov](http://www.tax.nv.gov), the legislative website at [www.leg.state.nv.us](http://www.leg.state.nv.us) and the Department of Administration website at <https://notice.nv.gov/>. These documents were also posted at the location listed in Exhibit A, attached.

Comments were received from county assessors, taxpayer representatives and Department of Taxation staff during the workshop and adoption hearing.

A copy of the audio taped comments or the record of proceedings or minutes of the workshops may be obtained by calling the Nevada Department of Taxation at (775) 684-2100 or by writing to the Nevada Department of Taxation, 1550 College Parkway, Carson City, Nevada 89706, or by e-mailing the Nevada Department of Taxation at [CSpurlock@tax.state.nv.us](mailto:CSpurlock@tax.state.nv.us).

**3. The number of persons who:**

**(a) Attended and testified at each workshop:**

<b>Date of Workshop</b>	<b><u>Attended</u></b>	<b><u>Testified</u></b>
05-31-2017	14	5

**(b) Attended and testified at each hearing:**

<b>Date of Hearing</b>	<b><u>Attended</u></b>	<b><u>Testified</u></b>
12-04-2017	54	3

**(c) Submitted to the agency written comments:**

<b>Date of Workshop</b>	<b><u>Number Received</u></b>
05-31-2017	1
12-04-2017	0

4. A list of names and contact information, including telephone number, business address, business telephone number, electronic mail address, and name of entity or organization represented, for each person identified above in #3, as provided to the agency, is attached as Exhibit B.

5. A description of how comment was solicited from affected businesses, a summary of their response, and an explanation describing how other interested persons may obtain a copy of the summary.

Comments were solicited from affected businesses in the same manner as they were solicited from the public. No comments from businesses or other taxpayers were received. A copy of the summary may be obtained as described in question 2.

6. If the regulation was adopted without changing any part of the proposed regulation, a summary of the reasons for adopting the regulation without change.

The regulation was adopted with changes to correct typographical errors and formatting issues as requested by members. The NTC adopted the regulation with the requested changes.

7. The estimated economic effect of the adopted regulation on the businesses which it is to regulate and on the public. These must be stated separately, and each case must include:

- (a) Both adverse and beneficial effects; and
- (b) Both immediate and long-term effects.

*Adverse and Beneficial Effects*

The regulation presents no reasonably foreseeable or anticipated, adverse economic effects to small businesses or to the general public.

*Immediate and Long-Term Effects*

The immediate and long-term effects will be to clarify the determination of the calculation of property taxes for Improvement to or Change in Actual or Authorized Use of the Property. It also simplifies and standardizes the calculation of this calculation.

**8. The estimated cost to the agency for enforcement of the adopted regulation.**

The proposed temporary regulations present no significant foreseeable or anticipated cost or decrease in costs for enforcement. However, it appears that there may be some additional administrative costs for the County Assessor's and County Treasurers, which cannot be quantified at this time.

**9. A description of any regulations of other state or government agencies which the proposed regulation overlaps or duplicates and a statement explaining why the duplication or overlapping is necessary. If the regulation overlaps or duplicates a federal regulation, the name of the regulating federal agency.**

There are no other state or government agency regulations that the adopted regulations duplicate.

**10. If the regulation includes provisions that are more stringent than a federal regulation which regulates the same activity, a summary of such provisions.**

The Nevada Tax Commission is not aware of any provision in this regulation which is also governed by federal regulation.

**11. If the regulation provides a new fee or increases an existing fee, the total annual amount the agency expects to collect and the manner in which the money will be used.**

The regulation does not provide for a new fee, and does not increase an existing fee.

**12. Is the proposed regulation likely to impose a direct and significant economic burden upon a small business or directly restricted the formation, operation or expansion of a small business? What methods did the agency use in determining the impact of the regulation on a small business?**

Please see attached Small Business Impact Statement.

**Exhibit A**  
**List of Locations where Notices were posted:**

Department of Taxation  
1550 College Parkway  
Carson City, NV

Department of Taxation  
Grant Sawyer Building, Suite 1300  
555 E. Washington Avenue  
Las Vegas, NV

Department of Taxation  
4600 Kietzke Lane  
Building L, Suite 235  
Reno, NV

Department of Taxation  
2550 Paseo Verde Parkway, Suite 180  
Henderson, NV  
Nevada Gaming Control Board  
1919 College Parkway  
Carson City, NV

Nevada Gaming Control Board  
Grant Sawyer State Office Building  
555 East Washington Avenue  
Las Vegas, NV

Legislative Counsel Bureau  
4041 South Carson Street  
Carson City, NV

Clark County Government Center  
500 South Grand Central Parkway  
Las Vegas, NV

Nevada State Library and Archives  
100 N. Stewart Street  
Carson City, NV

Nevada Attorney General's Office  
100 North Carson Street  
Carson City, NV

In addition, the notices were emailed to the following libraries for posting:

Amargosa Valley Library  
29 E. Farm Road  
Amargosa Valley, NV

Boulder City Library District  
701 Adams Blvd  
Boulder City, NV

Carson City Library  
900 N. Roop Street  
Carson City, NV 89701

Clark County Library  
1401 East Flamingo Road  
Las Vegas, NV

Churchill County Library  
553 South Maine Street  
Fallon, NV 89406  
Douglas County Library  
1625 Library Lane  
Minden, NV

Elko County Library  
720 Court Street  
Elko, NV

Esmeralda County Library District  
Goldfield Public Library  
Corner of Crook and Fourth Street  
Goldfield, NV 89013-0430

Henderson District Public Libraries  
Paseo Verde Library  
280 S. Green Valley parkway  
Henderson, NV 89012

Humboldt County Library  
85 East Fifth Street  
Winnemucca, Nevada 89445

Lincoln County Library  
63 Main Street  
Pioche, NV 89043-0330

Lyon County Library  
20 Nevin Way  
Yerington, NV

Lander County Library  
625 S. Broad St  
Battle Mountain NV 89820

Mineral County Library  
First & "A" Street  
Hawthorne, NV 89415

North Las Vegas Library  
2250 Las Vegas Blvd  
NLV, NV 89030

Pahrump Community Library  
701 East Street  
Pahrump, NV 89048

Pershing County Library  
1125 Central Avenue  
Lovelock, NV

Round Mountain Public Library  
73 Hadley Circle  
Round Mountain, NV

Storey County Library  
26 S. B St  
Virginia City, NV 89440

Tonopah Library District  
167 S Central St  
Tonopah, NV 89049

Washoe County Library  
4001 S. Virginia St.  
Reno NV