

Amendment No. CA4

Conference Committee Amendment to (BDR 32-301)
Assembly Bill No. 66 Second Reprint

Proposed by: Conference Committee

Amends: Summary: Yes Title: Yes Preamble: No Joint Sponsorship: No Digest: Yes

EXPLANATION: Matter in (1) *blue bold italics* is new language in the original bill; (2) green bold italic underlining is new language proposed in this amendment; (3) ~~red strikethrough~~ is deleted language in the original bill; (4) ~~purple double strikethrough~~ is language proposed to be deleted in this amendment; (5) orange double underlining is deleted language in the original bill that is proposed to be retained in this amendment; and (6) green bold underlining is newly added transitory language.

BFG/BJE



Date: 6/2/2013

A.B. No. 66—Revises the manner in which the State Board of Equalization must provide notice of a proposed increase in the valuation of property under certain circumstances. (BDR 32-301)



ASSEMBLY BILL NO. 66—COMMITTEE ON TAXATION

(ON BEHALF OF THE DEPARTMENT OF TAXATION)

PREFILED DECEMBER 20, 2012

Referred to Committee on Taxation

SUMMARY—Revises the manner in which the State Board of Equalization must provide ~~notice of a proposed increase~~ certain notices concerning increases in the valuation of property ~~under certain circumstances~~ (BDR 32-301)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: No.

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

AN ACT relating to property tax; revising the manner in which the State Board of Equalization must provide ~~notice of a proposed increase~~ certain notices concerning increases in the valuation of property ~~; under certain circumstances~~; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Under existing law, the State Board of Equalization is required to give 10 days' notice by registered or certified mail or by personal service to interested persons if the Board proposes to increase the valuation of any property on the assessment roll. (NRS 361.395) ~~For notices of proposed increases in the valuation of property that relate to a fiscal year that began before July 1, 2013, this bill requires the Board to continue to provide the notice required under the current law. For~~ Section 1 of this bill maintains this requirement if the Board proposes to increase the valuation of any property on the assessment roll in a proceeding to resolve an appeal or other complaint before the Board pursuant to NRS 361.360, 361.400 or 361.403. However, for notices of proposed increases in the valuation of a class or group of property that relate to a fiscal year that begins on or after July 1, 2013, ~~this bill~~ section 1 requires the Board to give 30 days' notice ~~(1)~~ by first-class mail to interested persons, ~~the Board proposes to increase the property values of a class or group of properties; and (2) by registered or certified mail or by personal service to interested persons. If the Board proposes to increase property values in a proceeding to resolve an appeal or other complaint before the Board pursuant to NRS 361.360, 361.400 or 361.403.~~

Under existing law, whenever the valuation of any property is raised by the Board, the Secretary of the Board is required to forward notice of the increased valuation by certified mail to the property owner or owners affected. (NRS 361.405) Section 1.5 of this bill: (1) maintains the requirement that this notice be provided by certified mail if the Board increases the valuation in a proceeding to resolve an appeal or other complaint before the Board pursuant to NRS 361.360, 361.400 or 361.403; and (2) requires this

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notice to be provided by first-class mail to the property owner or owners affected if the Board increases the valuation of a class or group of properties.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. NRS 361.395 is hereby amended to read as follows:

361.395 1. During the annual session of the State Board of Equalization beginning on the fourth Monday in March of each year, the State Board of Equalization shall:

(a) Equalize property valuations in the State.

(b) Review the tax rolls of the various counties as corrected by the county boards of equalization thereof and raise or lower, equalizing and establishing the taxable value of the property, for the purpose of the valuations therein established by all the county assessors and county boards of equalization and the Nevada Tax Commission, of any class or piece of property in whole or in part in any county, including those classes of property enumerated in NRS 361.320.

2. If the State Board of Equalization proposes to increase the valuation of any property on the assessment roll ~~†~~:

(a) Pursuant to paragraph (b) of subsection 1, it shall give 30 days' notice to interested persons by first-class mail.

(b) In a proceeding to resolve an appeal or other complaint before the Board pursuant to NRS 361.360, 361.400 or 361.403, it shall give 10 ~~30~~ days' notice to interested persons by registered or certified mail or by personal service. ~~††he~~

↳ A notice provided pursuant to this subsection must state the time when and place where the person may appear and submit proof concerning the valuation of the property. A person waives the notice requirement if he or she personally appears before the Board and is notified of the proposed increase in valuation.

Sec. 1.5. NRS 361.405 is hereby amended to read as follows:

361.405 1. The Secretary of the State Board of Equalization forthwith shall certify any change made by the Board in the assessed valuation of any property in whole or in part to the county auditor of the county where the property is assessed, and whenever the valuation of any property is raised ~~†~~:

(a) In a proceeding to resolve an appeal or other complaint before the Board pursuant to NRS 361.360, 361.400 or 361.403, the Secretary of the ~~†State~~ Board ~~†of Equalization~~ shall forward by certified mail to the property owner or owners affected, notice of the increased valuation.

(b) Pursuant to paragraph (b) of subsection 1 of NRS 361.395, the Secretary of the Board shall forward by first-class mail to the property owner or owners affected, notice of the increased valuation.

2. As soon as changes resulting from cases having a substantial effect on tax revenues have been certified to the county auditor by the Secretary of the State Board of Equalization, the county auditor shall:

(a) Enter all such changes and the value of any construction work in progress and net proceeds of minerals which were certified to him or her by the Department, on the assessment roll before the delivery thereof to the tax receiver.

(b) Add up the valuations and enter the total valuation of each kind of property and the total valuation of all property on the assessment roll.

(c) Certify the results to the board of county commissioners and the Department.

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1 3. The board of county commissioners shall not levy a tax on the net proceeds
2 of minerals added to the assessed valuation pursuant to paragraph (a) of subsection
3 2, but, except as otherwise provided by specific statute, the net proceeds of minerals
4 must be included in the assessed valuation of the taxable property of the county and
5 all local governments in the county for the determination of the rate of tax and all
6 other purposes for which assessed valuation is used.

7 4. As soon as changes resulting from cases having less than a substantial
8 effect on tax revenue have been certified to the county tax receiver by the Secretary
9 of the State Board of Equalization, the county tax receiver shall adjust the
10 assessment roll or the tax statement or make a tax refund, as directed by the State
11 Board of Equalization.

12 **Sec. 2.** The amendatory provisions of section 1 of this act apply only to
13 notices of proposed increases in the valuation of property that relate to a fiscal year
14 that begins on or after July 1, 2013.

15 **Sec. 3.** This act becomes effective on July 1, 2013.