

SENATE BILL NO. 333—SENATOR BUCK

MARCH 22, 2021

Referred to Committee on Revenue and
Economic Development

SUMMARY—Establishes a credit against certain taxes for a taxpayer who donates money to a charter school tax credit organization that makes grants to charter schools for certain purposes. (BDR 32-623)

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

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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 taxation; establishing a credit against the modified business tax and the general tax on insurance premiums for a taxpayer who donates money to a charter school tax credit organization; providing for the appointment of a charter school tax credit organization to distribute donations to eligible charter schools; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Existing law requires employers to pay an excise tax, commonly referred to as
2 the modified business tax, on the wages paid to their employees during each
3 calendar quarter. (NRS 363A.130, 363B.110) Existing law also requires each
4 insurer to pay to the Department of Taxation a tax upon net direct premium and net
5 direct considerations written at the rate of 3.5 percent (the general tax on insurance
6 premiums). (NRS 680B.027) **Sections 1, 3 and 7** of this bill authorize a taxpayer to
7 receive a credit against the modified business tax or the general tax on insurance
8 premiums equal to an amount which is approved by the Department of Taxation
9 and which must not exceed the amount of any donation of money made by the
10 taxpayer to the charter school tax credit organization. To claim the tax credit,
11 **sections 1, 3 and 7** require the charter school tax credit organization to apply to the
12 Department for approval of the credit for a taxpayer who intends to make a
13 donation to the charter school tax credit organization. If the Department approves
14 the application, the charter school tax credit organization must provide notice to the
15 taxpayer, who must make the donation within 30 days after receiving the notice. If
16 the taxpayer does not make the donation within the requisite period, the taxpayer
17 forfeits eligibility for the credit. The Department: (1) must approve or deny
18 applications for the tax credit in the order in which the applications are received by



19 the Department; and (2) is authorized to approve applications for each fiscal year
20 until the amount of the tax credits approved for the fiscal year is \$10,000,000.

21 **Sections 2 and 4** of this bill provide specifically for application of the credit
22 against the modified business tax. **Section 8** of this bill provides specifically for
23 application of the credit against the general tax on insurance premiums

24 **Section 5** of this bill requires the Executive Director of the Department to
25 appoint a charter school tax credit organization to oversee and administer the
26 donations received pursuant to the provisions of this bill. **Section 5** requires the
27 charter school tax credit organization to accept applications each year from charter
28 schools who wish to receive a grant of money donated pursuant to the provisions of
29 this bill and to make an annual distribution to eligible charter schools apportioned
30 based on the number of enrolled pupils of the school who are eligible for free or
31 reduced-price lunches under the National School Lunch Act, 42 U.S.C. §§ 1751 et
32 seq.

33 **Sections 9 and 10** of this bill make conforming changes to indicate the
34 placement of **sections 7 and 8** in the Nevada Revised Statutes.

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

1 **Section 1.** Chapter 363A of NRS is hereby amended by
2 adding thereto a new section to read as follows:

3 *1. Any taxpayer who is required to pay a tax pursuant to NRS*
4 *363A.130 may receive a credit against the tax otherwise due for*
5 *any donation of money made by the taxpayer to the charter school*
6 *tax credit organization in the manner provided by this section.*

7 *2. To receive the credit authorized by subsection 1, a taxpayer*
8 *who intends to make a donation of money to the charter school tax*
9 *credit organization must, before making such a donation, notify*
10 *the charter school tax credit organization of the taxpayer's intent*
11 *to make the donation and to seek the credit authorized by*
12 *subsection 1. The charter school tax credit organization shall,*
13 *before accepting any such donation, apply to the Department for*
14 *approval of the credit authorized by subsection 1 for the donation.*
15 *The Department shall, within 20 days after receiving the*
16 *application, approve or deny the application and provide to the*
17 *charter school tax credit organization notice of the decision and, if*
18 *the application is approved, the amount of the credit authorized.*
19 *Upon receipt of notice that the application has been approved, the*
20 *charter school tax credit organization shall provide notice of the*
21 *approval to the taxpayer who must, not later than 30 days after*
22 *receiving the notice, make the donation of money to the charter*
23 *school tax credit organization. If the taxpayer does not make the*
24 *donation of money to the charter school tax credit organization*
25 *within 30 days after receiving the notice, the charter school tax*
26 *credit organization shall provide notice of the failure to the*



1 *Department and the taxpayer forfeits any claim to the credit*
2 *authorized by subsection 1.*

3 *3. The Department shall approve or deny applications for the*
4 *credit authorized by subsection 1 in the order in which the*
5 *applications are received.*

6 *4. The Department may, for each fiscal year, approve*
7 *applications for the credit authorized by subsection 1 until the*
8 *total amount of the credits authorized by subsection 1 and*
9 *approved by the Department pursuant to this subsection,*
10 *subsection 4 of section 3 of this act and subsection 4 of section 7*
11 *of this act is \$10,000,000. The amount of any credit which is*
12 *forfeited pursuant to subsection 2 must not be considered in*
13 *calculating the amount of credits authorized for any fiscal year.*

14 *5. If a taxpayer applies to and is approved by the Department*
15 *for the credit authorized by subsection 1, the amount of the credit*
16 *provided by this section is equal to the amount approved by the*
17 *Department pursuant to subsection 2, which must not exceed the*
18 *amount of the donation made by the taxpayer to the charter school*
19 *tax credit organization. The total amount of the credit applied*
20 *against the taxes described in subsection 1 and otherwise due from*
21 *a taxpayer must not exceed the amount of the donation.*

22 *6. If the amount of the tax described in subsection 1 and*
23 *otherwise due from a taxpayer is less than the credit to which the*
24 *taxpayer is entitled pursuant to this section, the taxpayer may,*
25 *after applying the credit to the extent of the tax otherwise due,*
26 *carry the balance of the credit forward for not more than 5 years*
27 *after the end of the calendar year in which the donation is made*
28 *or until the balance of the credit is applied, whichever is earlier.*

29 *7. As used in this section, "charter school tax credit*
30 *organization" means the charter school tax credit organization*
31 *appointed by the Executive Director pursuant to section 5 of this*
32 *act.*

33 **Sec. 2.** NRS 363A.130 is hereby amended to read as follows:

34 363A.130 1. There is hereby imposed an excise tax on each
35 employer at the rate of 2 percent of the wages, as defined in NRS
36 612.190, paid by the employer during a calendar quarter with
37 respect to employment in connection with the business activities of
38 the employer.

39 2. The tax imposed by this section:

40 (a) Does not apply to any person or other entity or any wages
41 this State is prohibited from taxing under the Constitution, laws or
42 treaties of the United States or the Nevada Constitution.

43 (b) Must not be deducted, in whole or in part, from any wages of
44 persons in the employment of the employer.



1 3. Each employer shall, on or before the last day of the month
2 immediately following each calendar quarter for which the
3 employer is required to pay a contribution pursuant to
4 NRS 612.535:

5 (a) File with the Department a return on a form prescribed by
6 the Department; and

7 (b) Remit to the Department any tax due pursuant to this section
8 for that calendar quarter.

9 4. In determining the amount of the tax due pursuant to this
10 section, an employer is entitled to subtract from the amount
11 calculated pursuant to subsection 1 a credit in an amount equal to 50
12 percent of the amount of the commerce tax paid by the employer
13 pursuant to chapter 363C of NRS for the preceding taxable year.
14 The credit may only be used for any of the 4 calendar quarters
15 immediately following the end of the taxable year for which the
16 commerce tax was paid. The amount of credit used for a calendar
17 quarter may not exceed the amount calculated pursuant to
18 subsection 1 for that calendar quarter. Any unused credit may not be
19 carried forward beyond the fourth calendar quarter immediately
20 following the end of the taxable year for which the commerce tax
21 was paid, and a taxpayer is not entitled to a refund of any unused
22 credit.

23 5. An employer who makes a donation of money to a
24 scholarship organization during the calendar quarter for which a
25 return is filed pursuant to this section is entitled, in accordance with
26 NRS 363A.139, to a credit equal to the amount authorized pursuant
27 to NRS 363A.139 against any tax otherwise due pursuant to this
28 section. As used in this subsection, "scholarship organization" has
29 the meaning ascribed to it in NRS 388D.260.

30 *6. An employer who makes a donation of money to the*
31 *charter school tax credit organization during the calendar quarter*
32 *for which a return is filed pursuant to this section is entitled, in*
33 *accordance with section 1 of this act, to a credit equal to the*
34 *amount authorized pursuant to section 1 of this act against any*
35 *tax otherwise due pursuant to this section. As used in this*
36 *subsection, "charter school tax credit organization" has the*
37 *meaning ascribed to it in section 1 of this act.*

38 **Sec. 3.** Chapter 363B of NRS is hereby amended by adding
39 thereto a new section to read as follows:

40 *1. Any taxpayer who is required to pay a tax pursuant to NRS*
41 *363B.110 may receive a credit against the tax otherwise due for*
42 *any donation of money made by the taxpayer to the charter school*
43 *tax credit organization in the manner provided by this section.*

44 *2. To receive the credit authorized by subsection 1, a taxpayer*
45 *who intends to make a donation of money to the charter school tax*



1 *credit organization must, before making such a donation, notify*
2 *the charter school tax credit organization of the taxpayer's intent*
3 *to make the donation and to seek the credit authorized by*
4 *subsection 1. The charter school tax credit organization shall,*
5 *before accepting any such donation, apply to the Department for*
6 *approval of the credit authorized by subsection 1 for the donation.*
7 *The Department shall, within 20 days after receiving the*
8 *application, approve or deny the application and provide to the*
9 *charter school tax credit organization notice of the decision and, if*
10 *the application is approved, the amount of the credit authorized.*
11 *Upon receipt of notice that the application has been approved, the*
12 *charter school tax credit organization shall provide notice of the*
13 *approval to the taxpayer who must, not later than 30 days after*
14 *receiving the notice, make the donation of money to the charter*
15 *school tax credit organization. If the taxpayer does not make the*
16 *donation of money to the charter school tax credit organization*
17 *within 30 days after receiving the notice, the charter school tax*
18 *credit organization shall provide notice of the failure to the*
19 *Department and the taxpayer forfeits any claim to the credit*
20 *authorized by subsection 1.*

21 3. *The Department shall approve or deny applications for the*
22 *credit authorized by subsection 1 in the order in which the*
23 *applications are received.*

24 4. *The Department may, for each fiscal year, approve*
25 *applications for the credit authorized by subsection 1 until the*
26 *total amount of the credits authorized by subsection 1 and*
27 *approved by the Department pursuant to this subsection,*
28 *subsection 4 of section 1 of this act and subsection 4 of section 7*
29 *of this act is \$10,000,000. The amount of any credit which is*
30 *forfeited pursuant to subsection 2 must not be considered in*
31 *calculating the amount of credits authorized for any fiscal year.*

32 5. *If a taxpayer applies to and is approved by the Department*
33 *for the credit authorized by subsection 1, the amount of the credit*
34 *provided by this section is equal to the amount approved by the*
35 *Department pursuant to subsection 2, which must not exceed the*
36 *amount of the donation made by the taxpayer to the charter school*
37 *tax credit organization. The total amount of the credit applied*
38 *against the taxes described in subsection 1 and otherwise due from*
39 *a taxpayer must not exceed the amount of the donation.*

40 6. *If the amount of the tax described in subsection 1 and*
41 *otherwise due from a taxpayer is less than the credit to which the*
42 *taxpayer is entitled pursuant to this section, the taxpayer may,*
43 *after applying the credit to the extent of the tax otherwise due,*
44 *carry the balance of the credit forward for not more than 5 years*



1 *after the end of the calendar year in which the donation is made*
2 *or until the balance of the credit is applied, whichever is earlier.*

3 *7. As used in this section, "charter school tax credit*
4 *organization" means the charter school tax credit organization*
5 *appointed by the Executive Director pursuant to section 5 of this*
6 *act.*

7 **Sec. 4.** NRS 363B.110 is hereby amended to read as follows:

8 363B.110 1. There is hereby imposed an excise tax on each
9 employer at the rate of 1.475 percent of the amount by which the
10 sum of all the wages, as defined in NRS 612.190, paid by the
11 employer during a calendar quarter with respect to employment in
12 connection with the business activities of the employer exceeds
13 \$50,000.

14 2. The tax imposed by this section:

15 (a) Does not apply to any person or other entity or any wages
16 this State is prohibited from taxing under the Constitution, laws or
17 treaties of the United States or the Nevada Constitution.

18 (b) Must not be deducted, in whole or in part, from any wages of
19 persons in the employment of the employer.

20 3. Each employer shall, on or before the last day of the month
21 immediately following each calendar quarter for which the
22 employer is required to pay a contribution pursuant to
23 NRS 612.535:

24 (a) File with the Department a return on a form prescribed by
25 the Department; and

26 (b) Remit to the Department any tax due pursuant to this chapter
27 for that calendar quarter.

28 4. In determining the amount of the tax due pursuant to this
29 section, an employer is entitled to subtract from the amount
30 calculated pursuant to subsection 1 a credit in an amount equal to 50
31 percent of the amount of the commerce tax paid by the employer
32 pursuant to chapter 363C of NRS for the preceding taxable year.
33 The credit may only be used for any of the 4 calendar quarters
34 immediately following the end of the taxable year for which the
35 commerce tax was paid. The amount of credit used for a calendar
36 quarter may not exceed the amount calculated pursuant to
37 subsection 1 for that calendar quarter. Any unused credit may not be
38 carried forward beyond the fourth calendar quarter immediately
39 following the end of the taxable year for which the commerce tax
40 was paid, and a taxpayer is not entitled to a refund of any unused
41 credit.

42 5. An employer who makes a donation of money to a
43 scholarship organization during the calendar quarter for which a
44 return is filed pursuant to this section is entitled, in accordance with
45 NRS 363B.119, to a credit equal to the amount authorized pursuant



1 to NRS 363B.119 against any tax otherwise due pursuant to this
2 section. As used in this subsection, “scholarship organization” has
3 the meaning ascribed to it in NRS 388D.260.

4 *6. An employer who makes a donation of money to the*
5 *charter school tax credit organization during the calendar quarter*
6 *for which a return is filed pursuant to this section is entitled, in*
7 *accordance with section 3 of this act, to a credit equal to the*
8 *amount authorized pursuant to section 3 of this act against any*
9 *tax otherwise due pursuant to this section. As used in this*
10 *subsection, “charter school tax credit organization” has the*
11 *meaning ascribed to it in section 3 of this act.*

12 **Sec. 5.** Chapter 388A of NRS is hereby amended by adding
13 thereto a new section to read as follows:

14 *1. The Executive Director of the Department of Taxation*
15 *shall solicit applications for and appoint a charter school tax*
16 *credit organization to oversee and administer donations made*
17 *pursuant to sections 1, 3 and 7 of this act. The charter school tax*
18 *credit organization appointed by the Executive Director must:*

19 *(a) Be exempt from taxation pursuant to section 501(c)(3) of*
20 *the Internal Revenue Code, 26 U.S.C. § 501(c)(3).*

21 *(b) Be incorporated in this State.*

22 *(c) Have sufficient experience raising funds to carry out the*
23 *duties of the charter school tax credit organization.*

24 *(d) Have experience overseeing and administering education*
25 *grants.*

26 *(e) Not own or operate any school in this State which receives*
27 *any grant money pursuant to this section.*

28 *2. The charter school tax credit organization appointed*
29 *pursuant to subsection 1 shall open and maintain a separate*
30 *account in a financial institution located in the United States for*
31 *the deposit of any donations received pursuant to sections 1, 3 and*
32 *7 of this act.*

33 *3. The charter school tax credit organization shall establish a*
34 *60-day period each fiscal year in which the charter school tax*
35 *credit organization will accept applications from charter schools*
36 *who wish to receive a grant of money from the account created*
37 *pursuant to subsection 2. Each year, the charter school tax credit*
38 *organization shall notify the State Public Charter School*
39 *Authority of the start date and end date of the application period*
40 *for that year not later than 30 days before the start date. The*
41 *charter school tax credit organization shall not charge an*
42 *application fee.*

43 *4. The charter school tax credit organization shall review the*
44 *applications submitted pursuant to subsection 3 and from those*
45 *applications create a list of eligible schools for that fiscal year. A*



1 *charter school shall be deemed to be an eligible school if it is a*
2 *public school that:*

3 *(a) Is formed pursuant to the provisions of this chapter; and*

4 *(b) Receives money pursuant to the Every Student Succeeds*
5 *Act of 2015, 20 U.S.C. §§ 6301 et seq., and is obligated to comply*
6 *with the provisions of that federal law.*

7 *5. Once per fiscal year the charter school tax credit*
8 *organization shall distribute the money contained in the account*
9 *created pursuant to subsection 2. The money in the account must*
10 *be apportioned and distributed among the eligible schools on a pro*
11 *rata basis according to the number of enrolled pupils in the school*
12 *who were eligible for free or reduced-price lunches under the*
13 *National School Lunch Act, 42 U.S.C. §§ 1751 et seq.*

14 *6. The charter school tax credit organization may expend not*
15 *more than 3 percent of the total amount of any donations received*
16 *pursuant to sections 1, 3 and 7 of this act in a fiscal year to pay its*
17 *administrative expenses.*

18 *7. A school which receives a grant of money pursuant to*
19 *subsection 5 may use such money:*

20 *(a) To finance or lease school facilities;*

21 *(b) To renovate school facilities;*

22 *(c) To establish or supplement capital expenditure and*
23 *deferred maintenance reserves for the benefit of the school; or*

24 *(d) For any other capital expense which is permitted under*
25 *rules promulgated by the Financial Accounting Standards Board*
26 *or its successor organization.*

27 *8. The charter school tax credit organization shall preserve*
28 *for inspection and audit by the Department of Taxation and its*
29 *agents, for a period of 4 years, the books of account and all*
30 *financial records of the charter school tax credit organization*
31 *relevant to the donations received pursuant to sections 1, 3 and 7*
32 *of this act and any distributions made pursuant to this section. The*
33 *charter school tax credit organization shall make the records*
34 *available for inspection by the Department of Taxation upon*
35 *demand at reasonable times during regular business hours.*

36 *9. The Executive Director of the Department of Taxation may*
37 *appoint a new charter school tax credit organization if the entity*
38 *previously appointed pursuant to subsection 1 violates any*
39 *provision of this section or commits improper practices of*
40 *financial administration.*

41 **Sec. 6.** Chapter 680B of NRS is hereby amended by adding
42 thereto the provisions set forth as sections 7 and 8 of this act.

43 **Sec. 7. 1.** Any taxpayer who is required to pay a tax
44 pursuant to NRS 680B.027 may receive a credit against the tax
45 otherwise due for any donation of money made by the taxpayer to



1 *the charter school tax credit organization in the manner provided*
2 *by this section.*

3 2. *To receive the credit authorized by subsection 1, a taxpayer*
4 *who intends to make a donation of money to the charter school tax*
5 *credit organization must, before making such a donation, notify*
6 *the charter school tax credit organization of the taxpayer's intent*
7 *to make the donation and to seek the credit authorized by*
8 *subsection 1. The charter school tax credit organization shall,*
9 *before accepting any such donation, apply to the Department of*
10 *Taxation for approval of the credit authorized by subsection 1 for*
11 *the donation. The Department of Taxation shall, within 20 days*
12 *after receiving the application, approve or deny the application*
13 *and provide to the charter school tax credit organization notice of*
14 *the decision and, if the application is approved, the amount of the*
15 *credit authorized. Upon receipt of notice that the application has*
16 *been approved, the charter school tax credit organization shall*
17 *provide notice of the approval to the taxpayer who must, not later*
18 *than 30 days after receiving the notice, make the donation of*
19 *money to the charter school tax credit organization. If the*
20 *taxpayer does not make the donation of money to the charter*
21 *school tax credit organization within 30 days after receiving the*
22 *notice, the charter school tax credit organization shall provide*
23 *notice of the failure to the Department of Taxation and the*
24 *taxpayer forfeits any claim to the credit authorized by*
25 *subsection 1.*

26 3. *The Department of Taxation shall approve or deny*
27 *applications for the credit authorized by subsection 1 in the order*
28 *in which the applications are received.*

29 4. *The Department of Taxation may, for each fiscal year,*
30 *approve applications for the credit authorized by subsection 1 until*
31 *the total amount of the credits authorized by subsection 1 and*
32 *approved by the Department of Taxation pursuant to this*
33 *subsection, subsection 4 of section 1 of this act and subsection 4 of*
34 *section 3 of this act is \$10,000,000. The amount of any credit*
35 *which is forfeited pursuant to subsection 2 must not be considered*
36 *in calculating the amount of credits authorized for any fiscal year.*

37 5. *If a taxpayer applies to and is approved by the Department*
38 *of Taxation for the credit authorized by subsection 1, the amount*
39 *of the credit provided by this section is equal to the amount*
40 *approved by the Department of Taxation pursuant to subsection 2,*
41 *which must not exceed the amount of the donation made by the*
42 *taxpayer to the charter school tax credit organization. The total*
43 *amount of the credit applied against the taxes described in*
44 *subsection 1 and otherwise due from a taxpayer must not exceed*
45 *the amount of the donation.*



1 **6. If the amount of the tax described in subsection 1 and**
2 **otherwise due from a taxpayer is less than the credit to which the**
3 **taxpayer is entitled pursuant to this section, the taxpayer may,**
4 **after applying the credit to the extent of the tax otherwise due,**
5 **carry the balance of the credit forward for not more than 5 years**
6 **after the end of the calendar year in which the donation is made**
7 **or until the balance of the credit is applied, whichever is earlier.**

8 **7. As used in this section:**

9 **(a) "Charter school tax credit organization" means the charter**
10 **school tax credit organization appointed by the Executive Director**
11 **of the Department of Taxation pursuant to section 5 of this act.**

12 **(b) "Taxpayer" means any person liable for a tax imposed by**
13 **this chapter.**

14 **Sec. 8. An insurer who makes a donation of money to the**
15 **charter school tax credit organization during the calendar quarter**
16 **for which a report is filed pursuant to NRS 680B.032 or during a**
17 **calendar year in which a report is filed pursuant to NRS 680B.030**
18 **is entitled, in accordance with section 7 of this act, to a credit**
19 **equal to the amount authorized pursuant to section 7 of this act**
20 **against any tax otherwise due pursuant to NRS 680B.027. As used**
21 **in this subsection, "charter school tax credit organization" has the**
22 **meaning ascribed to it in section 7 of this act.**

23 **Sec. 9. NRS 680B.025 is hereby amended to read as follows:**

24 **680B.025 For the purposes of NRS 680B.025 to 680B.039,**
25 **inclusive ~~H~~, and sections 7 and 8 of this act:**

26 **1. "Total income derived from direct premiums written":**

27 **(a) Does not include premiums written or considerations**
28 **received from life insurance policies or annuity contracts issued in**
29 **connection with the funding of a pension, annuity or profit-sharing**
30 **plan qualified or exempt pursuant to sections 401, 403, 404, 408,**
31 **457 or 501 of the United States Internal Revenue Code as**
32 **renumbered from time to time.**

33 **(b) Does not include payments received by an insurer from the**
34 **Secretary of Health and Human Services pursuant to a contract**
35 **entered into pursuant to section 1876 of the Social Security Act, 42**
36 **U.S.C. § 1395mm.**

37 **(c) As to title insurance, consists of the total amount charged by**
38 **the company for the sale of policies of title insurance.**

39 **2. Money accepted by a life insurer pursuant to an agreement**
40 **which provides for an accumulation of money to purchase annuities**
41 **at future dates may be considered as "total income derived from**
42 **direct premiums written" either upon receipt or upon the actual**
43 **application of the money to the purchase of annuities, but any**
44 **interest credited to money accumulated while under the latter**
45 **alternative must also be included in "total income derived from**



1 direct premiums written,” and any money taxed upon receipt,
2 including any interest later credited thereto, is not subject to taxation
3 upon the purchase of annuities. Each life insurer shall signify on its
4 return covering premiums for the calendar year 1971 or for the first
5 calendar year it transacts business in this State, whichever is later,
6 its election between those two alternatives. Thereafter an insurer
7 shall not change his or her election without the consent of the
8 Commissioner. Any such money taxed as “total income derived
9 from direct premiums written” is, in the event of withdrawal of the
10 money before its actual application to the purchase of annuities,
11 eligible to be included as “return premiums” pursuant to the
12 provisions of NRS 680B.030.

13 **Sec. 10.** NRS 695F.090 is hereby amended to read as follows:

14 695F.090 1. Prepaid limited health service organizations are
15 subject to the provisions of this chapter and to the following
16 provisions, to the extent reasonably applicable:

17 (a) NRS 687B.310 to 687B.420, inclusive, concerning
18 cancellation and nonrenewal of policies.

19 (b) NRS 687B.122 to 687B.128, inclusive, concerning
20 readability of policies.

21 (c) The requirements of NRS 679B.152.

22 (d) The fees imposed pursuant to NRS 449.465.

23 (e) NRS 686A.010 to 686A.310, inclusive, concerning trade
24 practices and frauds.

25 (f) The assessment imposed pursuant to NRS 679B.700.

26 (g) Chapter 683A of NRS.

27 (h) To the extent applicable, the provisions of NRS 689B.340 to
28 689B.580, inclusive, and chapter 689C of NRS relating to the
29 portability and availability of health insurance.

30 (i) NRS 689A.035, 689A.0463, 689A.410, 689A.413 and
31 689A.415.

32 (j) NRS 680B.025 to 680B.039, inclusive, *and sections 7 and 8*
33 *of this act* concerning premium tax, premium tax rate, annual report
34 and estimated quarterly tax payments. For the purposes of this
35 subsection, unless the context otherwise requires that a section apply
36 only to insurers, any reference in those sections to “insurer” must be
37 replaced by a reference to “prepaid limited health service
38 organization.”

39 (k) Chapter 692C of NRS, concerning holding companies.

40 (l) NRS 689A.637, concerning health centers.

41 2. For the purposes of this section and the provisions set forth
42 in subsection 1, a prepaid limited health service organization is
43 included in the meaning of the term “insurer.”



1 **Sec. 11.** This act becomes effective on July 1, 2021.

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