

**SMALL BUSINESS IMPACT STATEMENT AS REQUIRED BY  
NRS 233B.0608 and NRS 233B.0609**

**LCB File No. R045-24**

**1. Background**

**LCB File No. R045-24**, repeals regulations relating to the remittance of the state estate tax; and provides other matters properly relating thereto.

The Nevada Constitution authorizes the Legislature to impose by law an estate tax but limits the amount of any such estate tax to the amount of a credit authorized by federal law to reduce the federal estate tax liability with respect to an estate by the amount of any state estate taxes paid with respect to that estate. (Nev. Const. Art. 10, § 4) Existing law imposes such a state estate tax on the transfer of the taxable estate of a person who resided in this State at the time of his or her death or a person who resided outside this State at the time of his or her death but who owned property situated in this State at that time. (Chapter 375A of NRS) However, the Economic Growth and Tax Relief Reconciliation Act of 2001 gradually reduced the credit against federal estate tax liability for any state estate taxes paid with respect to an estate until such credit was eliminated beginning January 1, 2005. (Pub. L. No. 107-16) Thus, estate tax is not currently imposed or collected by this State, but estate tax would be required to be imposed and collected by this State if a federal credit were ever reenacted. This regulation repeals existing regulations governing the payment of estate tax to this State and the documentation required to be filed with such a payment. (NAC 375A.010, 375A.020, 375A.030)

**2. A description of the manner in which comment was solicited from affected small businesses, a summary of their responses, and an explanation of the manner in which other interested persons may obtain a copy of the summary.**

The Department of Taxation prepared and disseminated a questionnaire seeking information from small businesses regarding the possible impact of LCB File No R045-24. The proposed language and questionnaire were dispersed to the following:

- Emailed by the Department to 192 members of its interested parties list.
- Mailed to 10 Rural Businesses
- Emailed by the Nevada Taxpayers Association to its list of interested taxpayers.

The content of the response is summarized below:

- No response was received for LCB Draft of Proposed Regulation - File No. R045-24.

Anyone interested in obtaining a copy of the completed small business impact questionnaire used for this summary, can contact:

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Nevada Department of Taxation  
3850 Arrowhead Drive, 2<sup>nd</sup> Floor  
Carson City, NV 89706  
[sglazner@tax.state.nv.us](mailto:sglazner@tax.state.nv.us)  
Phone: (775) 684-2059  
Fax: (775) 684-2020

**3. The manner in which the analysis was conducted, including the methods used to determine the impacts of the proposed regulation on small businesses.**

Governor's Executive Order No. 2023-003 mandated that the Nevada Tax Commission recommend the removal of at least 10 regulations and suggest amendments to other regulations under its jurisdiction that could be streamlined, clarified, reduced, or otherwise improved. This review was aimed at ensuring the regulations are effective, relevant, and as minimally burdensome as possible while still achieving their intended purpose.

The Department developed a comprehensive spreadsheet listing every regulation within each chapter under the Commission's jurisdiction. This spreadsheet was shared with Department staff and public stakeholders to solicit recommendations for amendments or repeals under the Executive Order in 2023 and the recommendations were approved by the Commission as well as the Governors Office.

No response was received to the questionnaire dispersed on June 3, 2024.

The Department of Taxation has concluded that the changes proposed to NAC Chapter 375A (LCB File No. R045-24) will not affect small businesses.

**4. The estimated economic effect of the proposed regulation on the small businesses which it is to regulate:**

**Direct and indirect adverse effects**

Not Applicable – Please see number 2.

**Direct and indirect beneficial effects**

Not Applicable – Please see number 2.

- 5. A description of the methods that the agency considered to reduce the impact of the proposed regulation on small businesses and a statement regarding whether the agency actually used any of those methods.**

Not Applicable – Please see number 2.

- 6. The estimated cost to the agency for enforcement of the proposed regulation.**

The proposed regulation presents no significant foreseeable or anticipated cost or decrease in costs for enforcement.

- 7. If the proposed 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 proposed permanent regulation does not include new fees or increase an existing fee.

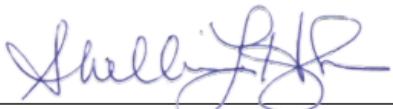
- 8. If the proposed regulation includes provisions which duplicate or are more stringent than federal, state or local standards regulating the same activity, an explanation of why such duplicative or more stringent provisions are necessary.**

The proposed regulation does not overlap or duplicate any regulation of other federal, state or local government entities.

- 9. The reasons for the conclusion of the agency regarding the impact of a regulation on small businesses.**

The Department has determined that there will be no impacts to small businesses based on its analysis of the proposed regulation.

**I hereby certify, to the best of my knowledge or belief, a concerted effort was made to determine the impact of the proposed regulation on small businesses and that this statement was properly prepared, and the information contained herein is accurate.**



**Shellie Hughes**, Executive Director

June 20, 2024