

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 certain notices concerning increases in the valuation of property. (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 certain notices concerning increases in the valuation of property; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Under existing law, the State Board of Equalization is required to give 10 days’
2 notice by registered or certified mail or by personal service to interested persons if
3 the Board proposes to increase the valuation of any property on the assessment roll.
4 (NRS 361.395) **Section 1** of this bill maintains this requirement if the Board
5 proposes to increase the valuation of any property on the assessment roll in a
6 proceeding to resolve an appeal or other complaint before the Board pursuant to
7 NRS 361.360, 361.400 or 361.403. However, for notices of proposed increases in
8 the valuation of a class or group of property that relate to a fiscal year that begins
9 on or after July 1, 2013, **section 1** requires the Board to give 30 days’ notice by
10 first-class mail to interested persons.

11 Under existing law, whenever the valuation of any property is raised by the
12 Board, the Secretary of the Board is required to forward notice of the increased
13 valuation by certified mail to the property owner or owners affected. (NRS
14 361.405) **Section 1.5** of this bill: (1) maintains the requirement that this notice be
15 provided by certified mail if the Board increases the valuation in a proceeding to
16 resolve an appeal or other complaint before the Board pursuant to NRS 361.360,
17 361.400 or 361.403; and (2) requires this notice to be provided by first-class mail to
18 the property owner or owners affected if the Board increases the valuation of a
19 class or group of properties.



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

1 **Section 1.** NRS 361.395 is hereby amended to read as follows:
2 361.395 1. During the annual session of the State Board of
3 Equalization beginning on the fourth Monday in March of each
4 year, the State Board of Equalization shall:

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

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

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

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

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

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

28 361.405 1. The Secretary of the State Board of Equalization
29 forthwith shall certify any change made by the Board in the assessed
30 valuation of any property in whole or in part to the county auditor of
31 the county where the property is assessed, and whenever the
32 valuation of any property is raised ~~†~~:

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

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



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

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

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

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

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

22 4. As soon as changes resulting from cases having less than a
23 substantial effect on tax revenue have been certified to the county
24 tax receiver by the Secretary of the State Board of Equalization, the
25 county tax receiver shall adjust the assessment roll or the tax
26 statement or make a tax refund, as directed by the State Board of
27 Equalization.

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

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

