

**PROPOSED REGULATION OF THE  
NEVADA TAX COMMISSION**

**LCB File No. R182-99**

December 23, 1999

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

AUTHORITY: §§1, 2 and 4, NRS 360.090 and 375A.800; §3, NRS 360.090, 375A.150 and 375A.800.

**Section 1.** Chapter 375A of NAC is hereby amended by adding thereto the provisions set forth as sections 2, 3 and 4 of this regulation.

**Sec. 2.** *As used in this chapter, unless the context otherwise requires, “department” means the department of taxation.*

**Sec. 3. 1.** *The documentation required pursuant to NRS 375A.150 includes, without limitation:*

*(a) A copy of the first page of Form 706 of the Internal Revenue Service;*

*(b) If the decedent owned any property in another state, a copy of any pertinent schedules showing the allocation of property belonging to each state and proof of payment for the portion of the estate tax of each state;*

*(c) If a deferred payment plan has been accepted and approved by the Internal Revenue Service, a copy of the deferred payment plan and a copy of the acceptance and approval of the deferred payment plan by the Internal Revenue Service; and*

*(d) A copy of each amended Form 706 of the Internal Revenue Service, if any, and the appropriate reconciliation.*

*2. A personal representative who is required to file documentation with the department pursuant to NRS 375A.150 shall remit any applicable tax, interest and penalty owed to the department pursuant to chapter 375A of NRS at the time he files the documentation required pursuant to NRS 375A.150.*

**Sec. 4.** *1. A personal representative who has obtained from the Internal Revenue Service an extension of time for filing Form 706 of the Internal Revenue Service shall remit an estimated amount of tax due to the department pursuant to chapter 375A of NRS with the copy of the extension filed with the department pursuant to NRS 375A.155.*

*2. If a personal representative who has obtained from the Internal Revenue Service an extension of time for filing Form 706 of the Internal Revenue Service files Form 706 within the time authorized in the extension and the personal representative owes additional tax to the department pursuant to chapter 375A of NRS, the personal representative shall remit the tax and any interest owed to the department pursuant to chapter 375A of NRS with the documentation required pursuant to NRS 375A.150.*

*3. If a personal representative who has obtained from the Internal Revenue Service an extension of time for filing Form 706 of the Internal Revenue Service files Form 706 after the time authorized in the extension and the personal representative owes additional tax to the department pursuant to chapter 375A of NRS, the personal representative shall remit the tax, any interest and any penalty owed to the department pursuant to chapter 375A of NRS with the documentation required pursuant to NRS 375A.150.*

*4. If a personal representative fails to file the return provided for in NRS 375A.150 within the time specified in that section or the extension specified in NRS 375A.155, his:*

*(a) Obtaining an extension of time for filing Form 706 of the Internal Revenue Service from the Internal Revenue Service; and*

*(b) Remitting an estimated amount of tax due to the department pursuant to chapter 375A of NRS with the copy of the extension filed with the department pursuant to NRS 375A.155, shall be deemed to constitute reasonable cause for the purposes of NRS 375A.170 and the personal representative is not required to pay a penalty pursuant to NRS 375A.170.*

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*5. The department shall waive the penalty for failure to file a timely return imposed pursuant to NRS 375A.170 if the personal representative provides documentation to the department proving that a similar penalty for failure to file timely the federal estate tax return was waived by the Internal Revenue Service.*