
ASSEMBLY BILL NO. 339—ASSEMBLYMAN COLLINS

MARCH 17, 2003

Referred to Committee on Taxation

SUMMARY—Increases business tax. (BDR 32-79)

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 taxation; increasing the tax on the privilege of conducting business in this state; and providing other matters properly relating thereto.

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

1 **Section 1.** NRS 364A.140 is hereby amended to read as
2 follows:

3 364A.140 1. A tax is hereby imposed upon the privilege of
4 conducting business in this state. Except as otherwise provided in
5 this section, the tax for each calendar quarter is due on the last day
6 of the quarter and must be paid on or before the last day of the
7 month immediately following the quarter on the basis of the total
8 number of equivalent full-time employees employed by the business
9 in the quarter.

10 2. If the tax required to be paid by a business for a calendar
11 quarter pursuant to subsection 1 is less than ~~[\$25.]~~ **\$35**, the business
12 may submit a written request to the Department to pay the tax
13 annually for each calendar quarter of a fiscal year ending June 30.
14 Upon approval of the request, the tax becomes due on the last day of
15 the fiscal year and must be paid on or before the last day of July
16 immediately following the fiscal year. If a business ceases operation
17 before the end of the fiscal year, the tax becomes due on the date on
18 which the business ceases its operation and must be paid on or
19 before the last day of the month immediately following the calendar
20 quarter in which the business ceases its operation. A business may



1 continue to pay the tax annually until the Department withdraws its
2 approval for the annual payment. The Department may withdraw its
3 approval at any time if it determines that the tax due for any
4 calendar quarter is at least ~~[\$25.]~~ \$35.

5 3. The total number of equivalent full-time employees
6 employed by a business in a quarter must be calculated pursuant to
7 NRS 364A.150.

8 4. Except as otherwise provided in NRS 364A.152 and
9 364A.170, the amount of tax due for a business for each calendar
10 quarter is ~~[\$25]~~ \$35 for each equivalent full-time employee
11 employed by the business in the quarter.

12 5. Each business shall file a return on a form prescribed by the
13 Department with each remittance of the tax. If the payment due is
14 greater than \$1,000, the payment must be made by direct deposit at
15 a bank or credit union in which the State has an account, unless the
16 Department waives this requirement pursuant to regulations adopted
17 by the Commission. The return must include:

18 (a) If the tax is paid quarterly, a statement of the number of
19 equivalent full-time employees employed by the business in the
20 preceding quarter and any other information the Department
21 determines is necessary.

22 (b) If the tax is paid annually, a statement of the number of
23 equivalent full-time employees employed by the business for each
24 calendar quarter of the preceding fiscal year and any other
25 information the Department determines is necessary.

26 6. The Commission shall adopt regulations concerning the
27 payment of the tax imposed pursuant to this section by direct
28 deposit.

29 **Sec. 2.** NRS 364A.330 is hereby amended to read as follows:
30 364A.330 1. If any amount in excess of ~~[\$25]~~ \$35 has been
31 illegally determined, either by the person filing the return or by the
32 Department, the Department shall certify this fact to the State Board
33 of Examiners, and the latter shall authorize the cancellation of the
34 amount upon the records of the Department.

35 2. If an amount not exceeding ~~[\$25]~~ \$35 has been illegally
36 determined, either by the person or business filing a return or by the
37 Department, the Department without certifying this fact to the State
38 Board of Examiners, shall authorize the cancellation of the amount
39 upon the records of the Department.

40 **Sec. 3.** This act becomes effective on July 1, 2003.

