
SENATE BILL NO. 472—COMMITTEE ON TAXATION

(ON BEHALF OF THE OFFICE OF VETERANS' SERVICES)

MARCH 25, 2003

Referred to Committee on Taxation

SUMMARY—Establishes method for determining total percentage of permanent service-related disability for purposes of calculating disabled veteran's exemption from property tax. (BDR 32-523)

FISCAL NOTE: Effect on Local Government: Yes.
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 the method for determining the total percentage of permanent service-related disability for the purposes of calculating the disabled veteran's exemption from the property tax; 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 361.091 is hereby amended to read as follows:
2 361.091 1. A bona fide resident of the State of Nevada who
3 has incurred a permanent service-connected disability and has been
4 honorably discharged from the Armed Forces of the United States,
5 or his surviving spouse, is entitled to a disabled veteran's
6 exemption.
7 2. The amount of exemption is based on the total percentage of
8 permanent service-connected disability. The maximum allowable
9 exemption for total permanent disability is:
10 (a) For Fiscal Year 2001-2002, the first \$12,500 assessed
11 valuation;
12 (b) For Fiscal Year 2002-2003, the first \$15,000 assessed
13 valuation; and



- 1 (c) For Fiscal Year 2003-2004, the first \$17,500 assessed
- 2 valuation.
- 3 3. A person with a permanent service-connected disability of:
- 4 (a) Eighty to 99 percent, inclusive, is entitled to:
- 5 (1) For Fiscal Year 2001-2002, an exemption of \$9,375
- 6 assessed value;
- 7 (2) For Fiscal Year 2002-2003, an exemption of \$11,250
- 8 assessed value; and
- 9 (3) For Fiscal Year 2003-2004, an exemption of \$13,125
- 10 assessed value.
- 11 (b) Sixty to 79 percent, inclusive, is entitled to:
- 12 (1) For Fiscal Year 2001-2002, an exemption of \$6,250
- 13 assessed value;
- 14 (2) For Fiscal Year 2002-2003, an exemption of \$7,500
- 15 assessed value; and
- 16 (3) For Fiscal Year 2003-2004, an exemption of \$8,750
- 17 assessed value.
- 18 For the purposes of this section, any property in which an applicant
- 19 has any interest is deemed to be the property of the applicant.
- 20 4. The exemption may be allowed only to a claimant who has
- 21 filed an affidavit with his claim for exemption on real property
- 22 pursuant to NRS 361.155. The affidavit may be made at any time by
- 23 a person claiming an exemption from taxation on personal property.
- 24 5. The affidavit must be made before the county assessor or a
- 25 notary public and be submitted to the county assessor. It must be to
- 26 the effect that the affiant is a bona fide resident of the State of
- 27 Nevada, that he meets all the other requirements of subsection 1 and
- 28 that he does not claim the exemption in any other county within this
- 29 state. After the filing of the original affidavit, the county assessor
- 30 shall mail a form for renewal of the exemption to the person each
- 31 year following a year in which the exemption was allowed for that
- 32 person. The form must be designed to facilitate its return by mail by
- 33 the person claiming the exemption.
- 34 6. Before allowing any exemption pursuant to the provisions of
- 35 this section, the county assessor shall require proof of the
- 36 applicant's status, and for that purpose shall require him to produce
- 37 an original or certified copy of:
- 38 (a) An honorable discharge or other document of honorable
- 39 separation from the Armed Forces of the United States which
- 40 indicates the total percentage of his permanent service-connected
- 41 disability;
- 42 (b) A certificate of satisfactory service which indicates the total
- 43 percentage of his permanent service-connected disability; or
- 44 (c) A certificate from the Department of Veterans Affairs or any
- 45 other military document which shows that he has incurred a



1 permanent service-connected disability and which indicates the total
2 percentage of that disability, together with a certificate of honorable
3 discharge or satisfactory service.

4 7. A surviving spouse claiming an exemption pursuant to this
5 section must file with the county assessor an affidavit declaring that:

6 (a) The surviving spouse was married to and living with the
7 disabled veteran for the 5 years preceding his death;

8 (b) The disabled veteran was eligible for the exemption at the
9 time of his death or would have been eligible if he had been a
10 resident of the State of Nevada;

11 (c) The surviving spouse has not remarried; and

12 (d) The surviving spouse is a bona fide resident of the State of
13 Nevada.

14 The affidavit required by this subsection is in addition to the
15 certification required pursuant to subsections 5 and 6. After the
16 filing of the original affidavit required by this subsection, the county
17 assessor shall mail a form for renewal of the exemption to the
18 person each year following a year in which the exemption was
19 allowed for that person. The form must be designed to facilitate its
20 return by mail by the person claiming the exemption.

21 8. If a tax exemption is allowed under this section, the claimant
22 is not entitled to an exemption under NRS 361.090.

23 9. If any person makes a false affidavit or produces false proof
24 to the county assessor or a notary public, and as a result of the false
25 affidavit or false proof, the person is allowed a tax exemption to
26 which he is not entitled, he is guilty of a gross misdemeanor.

27 *10. As used in this section, "total percentage of permanent*
28 *service-connected disability" means:*

29 *(a) The percentage of disability used by the Department of*
30 *Veterans Affairs to calculate a disabled veteran's disability*
31 *compensation; or*

32 *(b) The total percentage of permanent service-connected*
33 *unemployability assigned to the disabled veteran by the*
34 *Department of Veterans Affairs,*
35 *whichever is greater.*

36 **Sec. 2.** NRS 361.091 is hereby amended to read as follows:

37 361.091 1. A bona fide resident of the State of Nevada who
38 has incurred a permanent service-connected disability and has been
39 honorably discharged from the Armed Forces of the United States,
40 or his surviving spouse, is entitled to a disabled veteran's
41 exemption.

42 2. The amount of exemption is based on the total percentage of
43 permanent service-connected disability. The maximum allowable
44 exemption for total permanent disability is the first \$20,000 assessed



1 valuation. A person with a permanent service-connected disability
2 of:

3 (a) Eighty to 99 percent, inclusive, is entitled to an exemption of
4 \$15,000 assessed value.

5 (b) Sixty to 79 percent, inclusive, is entitled to an exemption of
6 \$10,000 assessed value.

7 For the purposes of this section, any property in which an applicant
8 has any interest is deemed to be the property of the applicant.

9 3. The exemption may be allowed only to a claimant who has
10 filed an affidavit with his claim for exemption on real property
11 pursuant to NRS 361.155. The affidavit may be made at any time by
12 a person claiming an exemption from taxation on personal property.

13 4. The affidavit must be made before the county assessor or a
14 notary public and be submitted to the county assessor. It must be to
15 the effect that the affiant is a bona fide resident of the State of
16 Nevada, that he meets all the other requirements of subsection 1 and
17 that he does not claim the exemption in any other county within this
18 state. After the filing of the original affidavit, the county assessor
19 shall mail a form for renewal of the exemption to the person each
20 year following a year in which the exemption was allowed for that
21 person. The form must be designed to facilitate its return by mail by
22 the person claiming the exemption.

23 5. Before allowing any exemption pursuant to the provisions of
24 this section, the county assessor shall require proof of the
25 applicant's status, and for that purpose shall require him to produce
26 an original or certified copy of:

27 (a) An honorable discharge or other document of honorable
28 separation from the Armed Forces of the United States which
29 indicates the total percentage of his permanent service-connected
30 disability;

31 (b) A certificate of satisfactory service which indicates the total
32 percentage of his permanent service-connected disability; or

33 (c) A certificate from the Department of Veterans Affairs or any
34 other military document which shows that he has incurred a
35 permanent service-connected disability and which indicates the total
36 percentage of that disability, together with a certificate of honorable
37 discharge or satisfactory service.

38 6. A surviving spouse claiming an exemption pursuant to this
39 section must file with the county assessor an affidavit declaring that:

40 (a) The surviving spouse was married to and living with the
41 disabled veteran for the 5 years preceding his death;

42 (b) The disabled veteran was eligible for the exemption at the
43 time of his death or would have been eligible if he had been a
44 resident of the State of Nevada;

45 (c) The surviving spouse has not remarried; and



1 (d) The surviving spouse is a bona fide resident of the State of
2 Nevada.

3 The affidavit required by this subsection is in addition to the
4 certification required pursuant to subsections 4 and 5. After the
5 filing of the original affidavit required by this subsection, the county
6 assessor shall mail a form for renewal of the exemption to the
7 person each year following a year in which the exemption was
8 allowed for that person. The form must be designed to facilitate its
9 return by mail by the person claiming the exemption.

10 7. If a tax exemption is allowed under this section, the claimant
11 is not entitled to an exemption under NRS 361.090.

12 8. If any person makes a false affidavit or produces false proof
13 to the county assessor or a notary public, and as a result of the false
14 affidavit or false proof, the person is allowed a tax exemption to
15 which he is not entitled, he is guilty of a gross misdemeanor.

16 9. Beginning with the 2005-2006 Fiscal Year, the monetary
17 amounts in subsection 2 must be adjusted for each fiscal year by
18 adding to the amount the product of the amount multiplied by the
19 percentage increase in the Consumer Price Index (All Items) from
20 December 2003 to the December preceding the fiscal year for which
21 the adjustment is calculated.

22 *10. As used in this section, "total percentage of permanent*
23 *service-connected disability" means:*

24 *(a) The percentage of disability used by the Department of*
25 *Veterans Affairs to calculate a disabled veteran's disability*
26 *compensation; or*

27 *(b) The total percentage of permanent service-connected*
28 *unemployability assigned to the disabled veteran by the*
29 *Department of Veterans Affairs,*
30 *whichever is greater.*

31 **Sec. 3.** 1. This section and section 1 of this act become
32 effective on July 1, 2003.

33 2. Section 2 of this act becomes effective on July 1, 2004.

