
SENATE BILL NO. 556—SENATOR RATTI

JUNE 1, 2019

Referred to Committee on Revenue and
Economic Development

SUMMARY—Allows certain counties and cities to seek voter approval for the imposition of a property tax to employ additional police officers and firefighters based on voter approval. (BDR S-1288)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.
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; authorizing certain boards of county commissioners to recommend the imposition of a property tax to employ and equip additional sheriff’s deputies for the sheriff’s office or firefighters for the county fire department, or both; authorizing the governing body of certain incorporated cities to recommend the imposition of a property tax to employ and equip additional police officers or firefighters, or both; providing that a board of county commissioners or the governing body of an incorporated city is authorized to submit a question to the voters at the 2020 General Election asking whether the recommended property tax should be imposed; requiring the imposition of such a property tax that is approved by the voters; providing for the use of the proceeds of such taxes for certain purposes; providing for the expiration of the authority of a board of county commissioners and a governing body of certain incorporated cities to recommend the imposition of such taxes; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 **Sections 1 and 3** of this bill authorize the board of county commissioners of a
2 county whose population is less than 700,000 (currently all counties other than



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3 Clark County) to recommend the imposition of a property tax at a rate not to exceed
4 5 cents for each \$100 of valuation for consideration by the voters at the 2020
5 General Election to employ and equip additional sheriff's deputies for the sheriff's
6 office or additional firefighters for the county fire department, or both. **Sections 5**
7 **and 7** of this bill authorize the governing body of an incorporated city located in a
8 county whose population is less than 700,000 (currently all counties other than
9 Clark County) to recommend the imposition of a property tax at a rate not to exceed
10 5 cents for each \$100 of assessed valuation for consideration by the voters at the
11 2020 General Election to employ and equip additional police officers or
12 firefighters, or both, for the incorporated city.

13 Under **sections 2 and 6** of this bill, a board of county commissioners or
14 governing body of an incorporated city which develops such a recommendation is
15 authorized to submit a question to the voters at the General Election on November
16 3, 2020, asking whether the recommended property tax should be imposed.
17 **Sections 3 and 7** of this bill provide that if a majority of the voters approve the
18 question, the board of county commissioners or the governing body of the
19 incorporated city, as applicable, is required to impose the approved property tax at
20 the rate specified in the question submitted to the voters, which rate must not
21 exceed 5 cents for each \$100 of assessed valuation. **Sections 2 and 6** provide that if
22 a majority of the voters approve the imposition of an additional property tax, the
23 additional rate is exempt from the partial abatement of property taxes and the
24 requirement that taxes ad valorem not exceed \$3.64 on each \$100 of assessed
25 valuation.

26 **Section 4** of this bill requires the proceeds of a tax imposed pursuant to **section**
27 **3** by a board of county commissioners to be used only to employ and equip
28 additional sheriff's deputies for the sheriff's office or firefighters for the county fire
29 department, or both additional such sheriff's deputies and firefighters. **Section 8** of
30 this bill requires the proceeds of a tax imposed pursuant to **section 7** of this bill by
31 the governing body of an incorporated city to be used only to employ and equip
32 additional police officers for the city police department or additional firefighters for
33 the city fire department, or both additional such police officers and firefighters.

34 **Section 9** of this bill requires each board of county commissioners and each
35 governing body of an incorporated city that approves expenditures of the proceeds
36 of a tax imposed pursuant to this act to submit quarterly reports containing certain
37 information regarding the use of the proceeds of the tax to the Department of
38 Taxation. **Section 9** further requires the Department to provide a copy of each such
39 report to the Director of the Legislative Counsel Bureau for transmission to the
40 Interim Finance Committee or the Legislature. **Section 10** of this bill provides that
41 the requirement to submit to the Director of the Legislative Counsel Bureau a copy
42 of the reports required by **section 9** of this bill do not expire automatically 5 years
43 after the effective date of this bill.

44 **Section 12** of this bill provides that the provisions of this bill authorizing
45 certain boards of county commissioners and the governing bodies of certain
46 incorporated cities to make recommendations for the imposition of a property tax
47 for consideration by the voters expire by limitation on November 1, 2020.

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

1 **Section 1.** 1. The board of county commissioners of a
2 county whose population is less than 700,000 may hold a public
3 hearing to consider whether to recommend the imposition of the tax



1 described in section 3 of this act for consideration by the voters at
2 the 2020 General Election to employ and equip:

3 (a) Additional sheriff's deputies for the sheriff's office of the
4 county;

5 (b) Additional firefighters for the fire department serving the
6 areas of the county in which the county is responsible for providing
7 fire protection service; or

8 (c) Both additional sheriff's deputies for the sheriff's office of
9 the county and additional firefighters for the fire department serving
10 the areas of the county in which the county is responsible for
11 providing fire service.

12 2. At the public hearing held pursuant to subsection 1, the
13 board of county commissioners shall:

14 (a) Determine the per capita amount of money approved for
15 expenditure for the current fiscal year by the board of county
16 commissioners for law enforcement service in the county and the
17 per capita amount of money approved for expenditure for
18 the current fiscal year for fire protection service in the areas of the
19 county in which the county is responsible for providing such
20 service.

21 (b) Consider the needs for law enforcement service in the county
22 and for fire protection service in the areas of the county in which the
23 county is responsible for providing such service, including, without
24 limitation, whether such needs can be met by employing and
25 equipping additional sheriff's deputies or firefighters, or both, and,
26 if so, the number of additional sheriff's deputies or firefighters, or
27 both, necessary to meet the needs for law enforcement service in the
28 county and fire protection service in the areas of the county in which
29 the county is responsible for providing such service.

30 (c) Consider whether to recommend:

31 (1) The creation of a taxing district consisting of the areas of
32 the county outside of the boundaries of an incorporated city that
33 provides its own police protection and the imposition of the tax
34 described in section 3 of this act in the taxing district for the purpose
35 of employing and equipping additional sheriff's deputies for the
36 sheriff's office of the county;

37 (2) The creation of a taxing district consisting of the areas of
38 the county in which the county is responsible for providing fire
39 protection service and the imposition of the tax described in section
40 3 of this act in the taxing district for the purpose of employing and
41 equipping additional firefighters for the fire department serving the
42 areas of the county in which the county is responsible for providing
43 fire protection service; or

44 (3) The creation of a taxing district consisting of both the
45 areas of the county in which the county is responsible for providing



1 fire protection service and the areas of the county outside of the
2 boundaries of an incorporated city that provides its own police
3 protection and the imposition of the tax described in section 3 of this
4 act in the taxing district for the purpose of employing and equipping
5 additional firefighters for the fire department serving the areas of the
6 county in which the county is responsible for providing fire
7 protection service and additional sheriff's deputies for the sheriff's
8 office of the county.

9 **Sec. 2.** 1. If, after a public hearing held pursuant to section 1
10 of this act, the board of county commissioners makes the
11 determination to recommend the creation of a taxing district
12 described in paragraph (c) of subsection 2 of section 1 of this act
13 and the imposition of the tax described in section 3 of this act in that
14 taxing district, the board of county commissioners may, by a
15 resolution adopted at a meeting occurring on a different day than the
16 public hearing held pursuant to section 1 of this act, submit a
17 question to the voters of the proposed taxing district at the General
18 Election held on November 3, 2020, which asks whether the
19 recommended taxing district should be created and the
20 recommended tax should be imposed in the taxing district. Before
21 adopting such a resolution, the board of county commissioners must
22 hold a public hearing, whether at the meeting at which the resolution
23 is adopted or at a separate meeting, to present its plan for
24 implementing the recommended tax.

25 2. The question submitted to the voters of the proposed taxing
26 district must specify the proposed rate of the recommended tax,
27 which must not exceed 5 cents on each \$100 of assessed valuation
28 of taxable property within the proposed taxing district, the period
29 during which the recommended tax will be imposed, that the
30 recommended tax is exempt from each partial abatement provided
31 pursuant to NRS 361.4722, 361.4723 and 361.4724 and that the
32 provisions of NRS 361.453 do not apply to the recommended tax.
33 The explanation of the question submitted to the voters of the
34 proposed taxing district must state the amount by which the tax
35 imposed on the assessed valuation of a single family residence
36 having the median taxable value in the proposed taxing district will
37 be increased if the question is approved by the voters.

38 3. If a majority of the voters voting on the question submitted
39 to the voters pursuant to subsection 1 vote affirmatively on the
40 question:

41 (a) The board of county commissioners, as applicable, shall
42 create the proposed taxing district and impose the recommended tax
43 in the taxing district at the rate and for the period specified in the
44 question submitted to the voters pursuant to subsection 1.



1 (b) The tax imposed is exempt from each partial abatement from
2 taxation provided pursuant to NRS 361.4722, 361.4723 and
3 361.4724.

4 (c) The provisions of NRS 361.453 do not apply to the tax
5 imposed.

6 (d) The tax shall be imposed notwithstanding the provisions of
7 any specific statute to the contrary and, except as otherwise
8 specifically provided in this section and sections 1 and 4 of this act,
9 the tax is not subject to any limitations set forth in any statute which
10 authorizes the board of county commissioners to impose such tax or
11 taxes, including, without limitation, any limitations on the
12 maximum rate or rates which may be imposed or the duration of the
13 period during which such taxes may be imposed.

14 **Sec. 3.** Upon approval of the registered voters voting on a
15 question presented to the voters pursuant to section 2 of this act
16 recommending the creation of a taxing district described in
17 paragraph (c) of subsection 2 of section 1 of this act and the
18 imposition of a tax on the assessed valuation of taxable property
19 within that taxing district, the board of county commissioners of the
20 county in which the question was approved shall, in addition to any
21 tax levied on the assessed valuation of taxable property in the taxing
22 district, levy a tax on the assessed valuation of taxable property
23 within the taxing district at the rate specified in the question
24 presented to the voters pursuant to section 2 of this act, which rate
25 must not exceed 5 cents on each \$100 of assessed valuation of
26 taxable property within the taxing district.

27 **Sec. 4.** 1. The proceeds of any tax imposed pursuant to
28 section 3 of this act:

29 (a) Must be accounted for separately in the county general fund.
30 Any interest earned on money in the account, after deducting any
31 applicable charges, must be credited to the account. Money that
32 remains in the account at the end of a fiscal year does not revert to
33 the county general fund and the balance in the account must be
34 carried forward to the next fiscal year. The money in the account
35 must be used only in accordance with this section.

36 (b) Must be used:

37 (1) If collected from a taxing district described in
38 subparagraph (1) of paragraph (c) of subsection 2 of section 1 of this
39 act, to employ and equip additional sheriff's deputies for the
40 sheriff's office of the county;

41 (2) If collected from a taxing district described in
42 subparagraph (2) of paragraph (c) of subsection 2 of section 1 of this
43 act, to employ and equip additional firefighters for the county fire
44 department; or



1 (3) If collected from a taxing district described in
2 subparagraph (3) of paragraph (c) of subsection 2 of section 1 of this
3 act:

4 (I) To the extent the proceeds were collected from the
5 areas of the taxing district for which the sheriff's office of the
6 county provides law enforcement service but for which the county is
7 not responsible for providing fire protection service, to employ and
8 equip additional sheriff's deputies for the sheriff's department of the
9 county;

10 (II) To the extent the proceeds were collected from the
11 areas of the taxing district for which the county is responsible for
12 providing fire protection service but for which the sheriff's office of
13 the county does not provide law enforcement service, to employ and
14 equip additional firefighters for the county fire department; and

15 (III) To the extent the proceeds were collected from the
16 areas of the taxing district for which the sheriff's office of the
17 county provides law enforcement service and for which the county
18 is responsible for providing fire protection service, to employ and
19 equip additional firefighters for the county fire department, to
20 employ and equip additional sheriff's deputies for the sheriff's
21 office of the county, or both.

22 (c) May not be used:

23 (1) To settle or arbitrate disputes between a recognized
24 organization representing employees of a county fire department
25 and the county, or to settle any negotiations;

26 (2) To adjust the schedule of salaries and benefits across any
27 bargaining unit within the county;

28 (3) To create new management positions or pay salaries to
29 existing management positions; or

30 (4) To increase the base pay of, pay overtime to, provide
31 bonuses to or otherwise compensate sheriff's deputies or firefighters
32 above the schedule of salary for the currently effective collective
33 bargaining agreement.

34 2. The sheriff's office and county fire department of a county
35 in which a tax was imposed pursuant to section 3 of this act shall not
36 expend the proceeds received from the tax unless the expenditure is
37 approved by the board of county commissioners of the county.

38 3. The board of county commissioners of a county in which a
39 tax is imposed pursuant to section 3 of this act must approve the
40 expenditure of the proceeds of the tax by the sheriff's office of a
41 county if it determines that:

42 (a) The proposed use of the money conforms to all provisions of
43 sections 1 to 4, inclusive, and 9 of this act; and

44 (b) The proposed use will not replace or supplant existing
45 funding for the sheriff's office of the county.



1 4. In determining that a proposed use meets the requirement set
2 forth in paragraph (b) of subsection 3, the board of county
3 commissioners must find that either:

4 (a) The per capita amount approved for expenditure by the board
5 for the fiscal year for the support of the sheriff's office, not
6 including any money received or expended from the tax imposed
7 pursuant to section 3 of this act, is equal to or greater than the per
8 capita amount approved for expenditure in the base fiscal year for
9 the support of the sheriff's office; or

10 (b) The per capita amount approved for expenditure by the
11 board for the fiscal year for the support of the sheriff's office, not
12 including any money received or expended from the tax imposed
13 pursuant to section 3 of this act, is less than the amount approved for
14 expenditure in the base fiscal year for the support of the fire
15 department and the board projects a decrease in the receipt of
16 revenue in that fiscal year from consolidated taxes and property
17 taxes, not including any money received or expended from the tax
18 imposed by section 3 of this act, of more than 2 percent from its
19 base fiscal year.

20 5. The board of county commissioners of a county in which a
21 tax is imposed pursuant to section 3 of this act must approve the
22 expenditure of the proceeds of the tax by the county fire department
23 if it determines that:

24 (a) The proposed use of the money conforms to all provisions of
25 sections 1 to 4, inclusive, and 9 of this act; and

26 (b) The proposed use will not replace or supplant existing
27 funding for the county fire department.

28 6. In determining that a proposed use meets the requirement set
29 forth in paragraph (b) of subsection 5, the board of county
30 commissioners must find that either:

31 (a) The per capita amount approved for expenditure by the board
32 for the fiscal year for the support of the fire department, not
33 including any money received or expended from the tax imposed
34 pursuant to section 3 of this act, is equal to or greater than the per
35 capita amount approved for expenditure in the base fiscal year for
36 the support of the fire department; or

37 (b) The per capita amount approved for expenditure by the
38 board for the fiscal year for the support of the fire department, not
39 including any money received or expended from the tax imposed by
40 section 3 of this act, is less than the amount approved for
41 expenditure in the base fiscal year for the support of the fire
42 department and the board projects a decrease in its receipt of
43 revenue in that fiscal year from consolidated taxes and property
44 taxes, not including any money received or expended from the tax



1 imposed by section 3 of this act, of more than 2 percent from its
2 base fiscal year.

3 7. If a board of county commissioners makes a finding
4 pursuant to subsection 4 or 6, the board shall adopt a resolution
5 setting forth the finding and the reasons therefor. If the finding is
6 made pursuant to paragraph (b) of subsection 4 or paragraph (b) of
7 subsection 6, the finding must include, without limitation, all facts
8 supporting the projection of a decrease in revenue.

9 8. As used in this section, "base fiscal year" means, with
10 respect to a body designated pursuant to subsection 2, the fiscal year
11 in which the board of county commissioners held the public hearing
12 described in section 1 of this act, except that:

13 (a) If, in any subsequent fiscal year, the amount approved for
14 expenditure by the board of county commissioners for that
15 subsequent fiscal year for the support of the sheriff's office or fire
16 department, not including any money received or expended pursuant
17 to the tax imposed pursuant to section 3 of this act, exceeds by more
18 than 2 percent the amount approved for expenditure in the fiscal
19 year in which the board of county commissioners held the public
20 hearing described in section 1 of this act, the base fiscal year for the
21 sheriff's office or fire department becomes the most recent of such
22 subsequent fiscal years.

23 (b) If the base fiscal year is revised pursuant to paragraph (a)
24 and, in any subsequent fiscal year, the amount approved for
25 expenditure by the board of county commissioners for that
26 subsequent fiscal year for the support of the sheriff's office or fire
27 department, not including any money received or expended from the
28 tax imposed pursuant to section 3 of this act, is equal to or less than
29 the amount approved for expenditure in the fiscal year in which the
30 board of county commissioners held the public hearing described in
31 section 1 of this act, the base fiscal year for the sheriff's office or
32 fire department becomes the fiscal year in which the board of county
33 commissioners held the public hearing described in section 1 of this
34 act but is subject to subsequent revision pursuant to paragraph (a).

35 **Sec. 5.** 1. The governing body of an incorporated city
36 located in a county whose population is less than 700,000 may hold
37 a public hearing to consider whether to recommend the imposition
38 of the tax described in section 7 of this act for consideration by the
39 voters at the 2020 General Election to employ and equip:

40 (a) Additional police officers for the police department of the
41 incorporated city;

42 (b) Additional firefighters for the fire department of the
43 incorporated city; or



1 (c) Both additional police officers for the police department of
2 the incorporated city and additional firefighters for the fire
3 department of the incorporated city.

4 2. At the public hearing held pursuant to subsection 1, the
5 governing body of the incorporated city shall:

6 (a) Determine the per capita amount of money approved for
7 expenditure for the current fiscal year by the governing body of the
8 incorporated city for police protection service in the incorporated
9 city and the per capita amount of money approved for expenditure
10 for the current fiscal year by the governing body of the incorporated
11 city for fire protection service in the incorporated city.

12 (b) Consider the needs for police protection and fire protection
13 service in the incorporated city, including, without limitation,
14 whether such needs can be met by employing and equipping
15 additional police officers or firefighters, or both, and, if so, the
16 number of additional police officers or firefighters, or both,
17 necessary to meet the needs for police protection and fire protection
18 service in the incorporated city.

19 (c) Consider whether to recommend the imposition of the tax
20 described in section 7 of this act in the incorporated city for the
21 purpose of employing and equipping additional police officers or
22 firefighters, or both.

23 **Sec. 6.** 1. If, after a public hearing held pursuant to section 5
24 of this act, the governing body of the incorporated city recommends
25 the imposition of the tax described in section 7 of this act, the
26 governing body of the incorporated city may, by a resolution
27 adopted at a meeting occurring on a different day than the public
28 hearing held pursuant to section 5 of this act, submit a question to
29 the voters of the incorporated city at the General Election held on
30 November 3, 2020, which asks whether the recommended tax
31 should be imposed in the incorporated city. Before adopting such a
32 resolution, the governing body of the incorporated city must hold a
33 public hearing, whether at the meeting at which the resolution is
34 adopted or at a separate meeting, to present its plan for
35 implementing the recommended tax.

36 2. The question submitted to the voters of the incorporated city
37 must specify the proposed rate of the recommended tax, which must
38 not exceed 5 cents on each \$100 of assessed valuation of taxable
39 property within the incorporated city, the period during which the
40 recommended tax will be imposed, that the recommended tax is
41 exempt from each partial abatement provided pursuant to NRS
42 361.4722, 361.4723 and 361.4724 and that the provisions of NRS
43 361.453 do not apply to the recommended tax. The explanation of
44 the question submitted to the voters of the incorporated city must
45 state the amount by which the tax imposed on the assessed valuation



1 of a single family residence having the median taxable value in the
2 incorporated city will be increased if the question is approved by the
3 voters.

4 3. If a majority of the voters voting on the question submitted
5 to the voters pursuant to subsection 1 vote affirmatively on the
6 question:

7 (a) The governing body of the incorporated city shall impose the
8 recommended tax in the incorporated city at the rate and for the
9 period specified in the question submitted to the voters pursuant to
10 subsection 1.

11 (b) The tax imposed is exempt from each partial abatement from
12 taxation provided pursuant to NRS 361.4722, 361.4723 and
13 361.4724.

14 (c) The provisions of NRS 361.453 do not apply to the tax
15 imposed.

16 (d) The tax shall be imposed notwithstanding the provisions of
17 any specific statute to the contrary and, except as otherwise
18 specifically provided in this section and sections 5 and 8 of this act,
19 the tax is not subject to any limitations set forth in any statute which
20 authorizes the board of county commissioners to impose such tax or
21 taxes, including, without limitation, any limitations on the
22 maximum rate or rates which may be imposed or the duration of the
23 period during which such taxes may be imposed.

24 **Sec. 7.** Upon approval of the registered voters voting on a
25 question presented to the voters pursuant to section 6 of this act
26 recommending the imposition of a tax on the assessed valuation of
27 taxable property within the incorporated city, the governing body of
28 the incorporated city shall, in addition to any tax levied on the
29 assessed valuation of taxable property in the incorporated city, levy
30 a tax on the assessed valuation of taxable property within the
31 incorporated city at the rate specified in the question presented to
32 the voters pursuant to section 6 of this act, which rate must not
33 exceed 5 cents on each \$100 of assessed valuation of taxable
34 property within the incorporated city.

35 **Sec. 8.** 1. The proceeds of any tax imposed pursuant to
36 section 7 of this act:

37 (a) Must be accounted for separately in the general fund of the
38 incorporated city in which the tax is imposed. Any interest earned
39 on money in the account, after deducting any applicable charges,
40 must be credited to the account. Money that remains in the account
41 at the end of a fiscal year does not revert to the general fund of the
42 incorporated city and the balance in the account must be carried
43 forward to the next fiscal year. The money in the account must be
44 used only in accordance with this section.



1 (b) Must be used to employ and equip additional police officers
2 for the police department of the incorporated city or additional
3 firefighters for the fire department of the incorporated city, or both
4 to employ and equip such additional police officers and firefighters.

5 (c) May not be used:

6 (1) To settle or arbitrate disputes between a recognized
7 organization representing employees of the fire department or police
8 department of the incorporated city and the incorporated city, or to
9 settle any negotiations;

10 (2) To adjust the schedule of salaries and benefits across any
11 bargaining unit within the incorporated city;

12 (3) To create new management positions or pay salaries to
13 existing management positions; or

14 (4) To increase the base pay of, pay overtime to, provide
15 bonuses to or otherwise compensate firefighters or police officers
16 above the schedule of salary for the currently effective bargaining
17 agreement.

18 2. The fire department and police department of an
19 incorporated city in which a tax imposed pursuant to section 7 of
20 this act shall not expend the proceeds received from the tax unless
21 the expenditure is approved by the governing body of the
22 incorporated city.

23 3. The governing body of an incorporated city in which a tax is
24 imposed pursuant to section 7 of this act must approve the
25 expenditure of the proceeds of the tax by the police department of
26 the incorporated city if it determines that:

27 (a) The proposed use of the money conforms to all provisions of
28 sections 5 to 9, inclusive, of this act; and

29 (b) The proposed use will not replace or supplant existing
30 funding for the police department.

31 4. In determining that a proposed use meets the requirement set
32 forth in paragraph (b) of subsection 3, the governing body of the
33 incorporated city must find that either:

34 (a) The per capita amount approved for expenditure by the
35 governing body for the fiscal year for the support of the police
36 department, not including any money received or expended from the
37 tax imposed pursuant to section 7 of this act, is equal to or greater
38 than the per capita amount approved for expenditure in the base
39 fiscal year for the support of the police department; or

40 (b) The per capita amount approved for expenditure by the
41 governing body for the fiscal year for the support of the police
42 department, not including any money received or expended from the
43 tax imposed by section 7 of this act, is less than the amount
44 approved for expenditure in the base fiscal year for the support of
45 the police department and the governing body projects a decrease in



1 its receipt of revenue in that fiscal year from consolidated taxes and
2 property taxes, not including any money received or expended from
3 the tax imposed by section 7 of this act, of more than 2 percent from
4 its base fiscal year.

5 5. The governing body of an incorporated city in which a tax is
6 imposed pursuant to section 7 of this act must approve the
7 expenditure of the proceeds of the tax by the fire department of the
8 incorporated city if it determines that:

9 (a) The proposed use of the money conforms to all provisions of
10 sections 5 to 9, inclusive, of this act; and

11 (b) The proposed use will not replace or supplant existing
12 funding for the fire department.

13 6. In determining that a proposed use meets the requirement set
14 forth in paragraph (b) of subsection 5, the governing body of the
15 incorporated city must find that either:

16 (a) The per capita amount approved for expenditure by the
17 governing body for the fiscal year for the support of the fire
18 department, not including any money received or expended from the
19 tax imposed pursuant to section 7 of this act, is equal to or greater
20 than the per capita amount approved for expenditure in the base
21 fiscal year for the support of the fire department; or

22 (b) The per capita amount approved for expenditure by the
23 governing body for the fiscal year for the support of the fire
24 department, not including any money received or expended from the
25 tax imposed by section 7 of this act, is less than the amount
26 approved for expenditure in the base fiscal year for the support of
27 the fire department and the governing body projects a decrease in its
28 receipt of revenue in that fiscal year from consolidated taxes and
29 property taxes, not including any money received or expended from
30 the tax imposed by section 7 of this act, of more than 2 percent from
31 its base fiscal year.

32 7. If the governing body of an incorporated city makes a
33 finding pursuant to subsection 4 or 6, the governing body shall
34 adopt a resolution setting forth the finding and the reasons therefor.
35 If the finding is made pursuant to paragraph (b) of subsection 4 or
36 paragraph (b) of subsection 6, the finding must include, without
37 limitation, all facts supporting the projection of a decrease in
38 revenue.

39 8. As used in this section, "base fiscal year" means the fiscal
40 year in which the governing body of the incorporated city held the
41 public hearing described in section 5 of this act, except that:

42 (a) If, in any subsequent fiscal year, the amount approved for
43 expenditure by the governing body for that subsequent fiscal year
44 for the support of the police department or fire department, not
45 including any money received or expended pursuant to the tax



1 imposed pursuant to section 7 of this act, exceeds by more than 2
2 percent the amount approved for expenditure in the fiscal year in
3 which the governing body held the public hearing described in
4 section 5 of this act, the base fiscal year for the police department or
5 fire department, as applicable, becomes the most recent of such
6 subsequent fiscal years.

7 (b) If the base fiscal year is revised pursuant to paragraph (a)
8 and, in any subsequent fiscal year, the amount approved for
9 expenditure by the governing body for that subsequent fiscal year
10 for the support of the police department or fire department, not
11 including any money received or expended from the tax imposed
12 pursuant to section 7 of this act, is equal to or less than the amount
13 approved for expenditure in the fiscal year in which the board of
14 county commissioners held the public hearing described in section 5
15 of this act, the base fiscal year for the police department or fire
16 department, as applicable, becomes the fiscal year in which the
17 governing body held the public hearing described in section 5 of this
18 act but is subject to subsequent revision pursuant to paragraph (a).

19 **Sec. 9.** 1. A board of county commissioners that has
20 approved expenditures pursuant to section 4 of this act and a
21 governing body of an incorporated city that has approved
22 expenditures pursuant to section 8 of this act shall submit to the
23 Department the periodic reports required by this section and such
24 other information relating to the provisions of this act as may be
25 requested by the Department.

26 2. The reports required pursuant to this section must be
27 submitted:

28 (a) On or before:

29 (1) February 15 for the 3-month period ending on the
30 immediately preceding December 31;

31 (2) May 15 for the 3-month period ending on the
32 immediately preceding March 31;

33 (3) August 15 for the 3-month period ending on the
34 immediately preceding June 30; and

35 (4) November 15 for the 3-month period ending on the
36 immediately preceding September 30; and

37 (b) On or before August 15 for the 12-month period ending on
38 the immediately preceding June 30.

39 3. Each report must be submitted on a form provided by the
40 Department and include, with respect to the period covered by the
41 report:

42 (a) The total proceeds received by the police department,
43 sheriff's office or fire department, as applicable, from a tax imposed
44 pursuant to this act;



1 (b) A detailed description of the use of the proceeds, including,
2 without limitation:

3 (1) The total expenditures made by the police department,
4 sheriff's office or fire department from the tax imposed pursuant to
5 this act;

6 (2) As applicable, the total number of police officers hired by
7 the police department and the number of those officers that are
8 filling authorized, funded positions for new officers;

9 (3) As applicable, the total number of firefighters hired by
10 the fire department and the number of those firefighters that are
11 filling authorized, funded positions for new firefighters;

12 (4) As applicable, the total number of sheriff's deputies hired
13 by the sheriff's office and the number of those deputies that are
14 filling authorized, funded positions for new deputies; and

15 (5) A detailed analysis of the manner in which each
16 expenditure:

17 (I) Conforms to all applicable provisions of this act; and

18 (II) Does not replace or supplant funding which existed
19 before July 1, 2020, for the police department or fire department, as
20 applicable; and

21 (c) Any other information required to complete the form for the
22 report.

23 4. The Department may review and investigate the reports
24 submitted pursuant to this section and the expenditure of any
25 proceeds pursuant to section 4 or 8 of this act.

26 5. The Department shall provide a copy of each report
27 submitted to this section to the Director of the Legislative Counsel
28 Bureau for transmission to the Interim Finance Committee, if the
29 Legislature is not in session, or to the Legislature, if the Legislature
30 is in session.

31 6. As used in this section, "Department" means the Department
32 of Taxation.

33 **Sec. 10.** The provisions of subsection 1 of NRS 218D.380 do
34 not apply to any provision of this act which adds or revises a
35 requirement to submit a report to the Legislature.

36 **Sec. 11.** Notwithstanding the provisions of NRS 218D.430 and
37 218D.435, a committee may vote on this act before the expiration of
38 the period prescribed for the return of a fiscal note in NRS
39 218D.475. This section applies retroactively from and after May 29,
40 2019.

41 **Sec. 12.** 1. This act becomes effective on July 1, 2019.

42 2. Sections 1 and 5 of this act expire by limitation on
43 November 1, 2020.

