

SENATE BILL NO. 502—COMMITTEE ON FINANCE

(ON BEHALF OF THE OFFICE OF FINANCE  
IN THE OFFICE OF THE GOVERNOR)

MAY 22, 2023

Referred to Committee on Finance

SUMMARY—Revises provisions governing taxation.  
(BDR 32-1086)

FISCAL NOTE: Effect on Local Government: No.  
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; revising the applicability and calculation of the commerce tax; providing a discount on a certain portion of the excise taxes on motor vehicle fuel, other than aviation fuel, imposed by the State during Fiscal Year 2023-2024; making appropriations; and providing other matters properly relating thereto.

**Legislative Counsel’s Digest:**

1 Existing law imposes an annual commerce tax on each business entity engaged  
2 in business in this State whose Nevada gross revenue in a taxable year exceeds  
3 \$4,000,000 at a rate that is based on the industry in which the business entity is  
4 primarily engaged. (NRS 363C.200) Existing law requires the amount of commerce  
5 tax to be calculated by subtracting \$4,000,000 from the Nevada gross revenue of  
6 the business entity for the taxable year and multiplying that amount by the rate  
7 established for the business category in which the business entity is primarily  
8 engaged. (NRS 363C.300-363C.560) **Section 1** of this bill revises the annual  
9 commerce tax to apply only to business entities engaged in business in this State  
10 whose Nevada gross revenue in a taxable year exceeds \$6,000,000. **Sections 2-28**  
11 of this bill revise the manner in which the commerce tax rate is calculated to require  
12 the commerce tax to be calculated by subtracting \$6,000,000 from the Nevada  
13 gross revenue of the business entity for the taxable year and multiplying that  
14 amount by the rate established for the business category in which the business  
15 entity is primarily engaged.

16 Existing law: (1) imposes various excise taxes on a supplier of motor vehicle  
17 fuel, other than aviation fuel, for the sale, distribution or use of such fuel by the  
18 supplier in this State, including, without limitation, an excise tax at a rate of 17.65  
19 cents per gallon of such fuel sold, distributed or used in this State; and (2) requires



20 the proceeds attributable to this tax rate to be deposited in the State Highway Fund.  
21 (NRS 365.175, 365.540) **Section 29** of this bill provides a discount of 100 percent  
22 of this tax rate for all motor vehicle fuel, except aviation fuel, sold, distributed or  
23 used by a supplier in this State during Fiscal Year 2023-2024. In place of the  
24 proceeds of this excise tax on motor vehicle fuel, **section 29** appropriates  
25 \$250,000,000 from the State General Fund to the State Highway Fund for the  
26 administration, construction, reconstruction, improvement and maintenance of  
27 highways in this State. **Section 29** requires the Department of Motor Vehicles to  
28 determine if the amount of proceeds of this excise tax on motor vehicle fuel  
29 collected during Fiscal Year 2023-2024 would have, in the absence of the discount,  
30 exceeded \$250,000,000. **Section 29** further requires the State Controller to transfer  
31 money from the State Highway Fund to the State General Fund in an amount equal  
32 to the amount by which the calculated amount is less than \$250,000,000, or from  
33 the State General Fund to the State Highway Fund in an amount equal to the  
34 amount by which the calculated amount is more than \$250,000,000. **Section 29**  
35 requires the State Treasurer to provide notice to the holders of certain bonds  
36 regarding the provisions of this bill.  
37 **Section 30** of this bill makes appropriations to the Department of Motor  
38 Vehicles and the Department of Taxation for costs relating to carrying out  
39 the provisions of this bill. **Section 31** makes an appropriation to the Office of the  
40 Attorney General for investigations and enforcement actions related to the  
41 provisions of **section 29**.

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

1 **Section 1.** NRS 363C.200 is hereby amended to read as  
2 follows:

3 363C.200 1. For the privilege of engaging in a business in  
4 this State, a commerce tax is hereby imposed upon each business  
5 entity whose Nevada gross revenue in a taxable year exceeds  
6 ~~[\$4,000,000]~~ \$6,000,000 in an amount determined pursuant to NRS  
7 363C.300 to 363C.560, inclusive. The commerce tax is due and  
8 payable as provided in this section.

9 2. Each business entity whose Nevada gross revenue in a  
10 taxable year exceeds ~~[\$4,000,000]~~ \$6,000,000 shall, on or before the  
11 45th day immediately following the end of that taxable year, file  
12 with the Department a return on a form prescribed by the  
13 Department. The Department shall not require a business entity  
14 whose Nevada gross revenue for a taxable year is ~~[\$4,000,000]~~  
15 \$6,000,000 or less to file a return for that taxable year. The return  
16 required by this subsection must include such information as is  
17 required by the Department.

18 3. For the purposes of determining the amount of the  
19 commerce tax due pursuant to this chapter, the initial return filed by  
20 a business entity with the Department pursuant to subsection 2 must  
21 designate the business category in which the business entity is  
22 primarily engaged. A business entity may not change the business



1 category designated for that business entity unless the person applies  
2 to the Department to change such designation and the Department  
3 determines that the business is no longer primarily engaged in the  
4 designated business category.

5 4. A business entity shall remit with the return the amount of  
6 commerce tax due pursuant to subsection 1. Upon written  
7 application made before the date on which payment of the  
8 commerce tax due pursuant to this chapter must be made, the  
9 Department may for good cause extend by not more than 30 days  
10 the time within which a business entity is required to pay the  
11 commerce tax. If the commerce tax is paid during the period of  
12 extension, no penalty or late charge may be imposed for failure to  
13 pay the commerce tax at the time required, but the business entity  
14 shall pay interest at the rate of 0.75 percent per month from the date  
15 on which the amount would have been due without the extension  
16 until the date of payment, unless otherwise provided in NRS  
17 360.232 or 360.320.

18 **Sec. 2.** NRS 363C.300 is hereby amended to read as follows:

19 363C.300 Except as otherwise provided in this section, the  
20 commerce tax required to be paid by a business entity engaging in a  
21 business in this State is equal to the amount obtained by subtracting  
22 ~~[\$4,000,000]~~ **\$6,000,000** from the Nevada gross revenue of the  
23 business entity for the taxable year and multiplying that amount by  
24 the rate set forth in NRS 363C.310 to 363C.550, inclusive, for the  
25 business category in which the business entity is primarily engaged.  
26 If the business entity cannot be categorized in a business category  
27 set forth in NRS 363C.310 to 363C.550, inclusive, the commerce  
28 tax required to be paid by that business entity is equal to the amount  
29 obtained by subtracting ~~[\$4,000,000]~~ **\$6,000,000** from the Nevada  
30 gross revenue of the business entity for the taxable year and  
31 multiplying that amount by the rate set forth in NRS 363C.560.

32 **Sec. 3.** NRS 363C.310 is hereby amended to read as follows:

33 363C.310 1. The agriculture, forestry, fishing and hunting  
34 business category (NAICS 11) includes all business entities  
35 primarily engaged in agricultural production or agricultural support  
36 activities, or both, including, without limitation, growing crops,  
37 raising animals, harvesting timber and harvesting fish and other  
38 animals from a farm, ranch or their natural habitats.

39 2. Examples of business entities in this category include,  
40 without limitation, farms, ranches, dairies, greenhouses, nurseries,  
41 orchards and hatcheries.

42 3. This category does not include business entities primarily  
43 engaged in agricultural research or administering programs for  
44 regulating and conserving land, minerals, wildlife or forest use.



1 4. The amount of the commerce tax for a business entity  
2 included in this category is the amount obtained by subtracting  
3 ~~[\$4,000,000]~~ \$6,000,000 from the Nevada gross revenue of the  
4 business entity for the taxable year and multiplying that amount by  
5 0.063 percent.

6 **Sec. 4.** NRS 363C.320 is hereby amended to read as follows:

7 363C.320 1. The mining, quarrying and oil and gas  
8 extraction business category (NAICS 21) includes all business  
9 entities primarily engaged in mining operations and mining support  
10 activities, including, without limitation, extracting:

- 11 (a) Naturally occurring mineral solids, such as coal and ores;
- 12 (b) Liquid minerals, such as crude petroleum; and
- 13 (c) Gases, such as natural gas.

14 2. Examples of business entities in this category include,  
15 without limitation:

- 16 (a) Business entities operating mines, quarries or oil and gas  
17 wells on their own account or for others on a contract or fee basis.
- 18 (b) Mining support activities, including business entities that  
19 perform exploration or other mining services, or both, on a contract  
20 or fee basis, except geophysical surveying, mine site preparation and  
21 the construction of oil and gas pipelines.

22 3. As used in subsections 1 and 2, the term “mining” includes  
23 quarrying, well operations and beneficiating, including, without  
24 limitation, crushing, screening, washing, flotation and other  
25 preparation customarily performed at a mine site or as a part of  
26 mining activity.

27 4. The amount of the commerce tax for a business entity  
28 included in this category is the amount obtained by subtracting  
29 ~~[\$4,000,000]~~ \$6,000,000 from the Nevada gross revenue of the  
30 business entity for the taxable year and multiplying that amount by  
31 0.051 percent.

32 **Sec. 5.** NRS 363C.330 is hereby amended to read as follows:

33 363C.330 1. The utilities and telecommunications business  
34 category (NAICS 22 and 517, respectively) includes:

35 (a) All business entities primarily engaged in providing utility  
36 services, including, without limitation, electric power, natural gas,  
37 steam supply, water supply and sewage removal; and

38 (b) All business entities primarily engaged in providing  
39 telecommunications and the services related to that activity,  
40 including, without limitation, telephony, cable and satellite  
41 distribution services, Internet access and telecommunications  
42 reselling services.

43 2. This category does not include business entities primarily  
44 engaged in waste management and remediation services that are  
45 described in NRS 363C.490.



1 3. The amount of the commerce tax for a business entity  
2 included in this category is the amount obtained by subtracting  
3 ~~[\$4,000,000]~~ \$6,000,000 from the Nevada gross revenue of the  
4 business entity for the taxable year and multiplying that amount by  
5 0.136 percent.

6 **Sec. 6.** NRS 363C.340 is hereby amended to read as follows:

7 363C.340 1. The construction business category (NAICS 23)  
8 includes all business entities primarily engaged in the construction  
9 of buildings or engineering projects, such as highways and utility  
10 systems. Business entities engaged in the preparation of sites for  
11 new construction and business entities primarily engaged in  
12 subdividing land for sale as building sites also are included in this  
13 category.

14 2. Examples of business entities in this category include,  
15 without limitation, general contractors, design-builders, construction  
16 managers, turnkey contractors, joint-venture contractors, specialty  
17 trade contractors, for-sale builders, speculative builders and  
18 merchant builders.

19 3. The amount of the commerce tax for a business entity  
20 included in this category is the amount obtained by subtracting  
21 ~~[\$4,000,000]~~ \$6,000,000 from the Nevada gross revenue of the  
22 business entity for the taxable year and multiplying that amount by  
23 0.083 percent.

24 **Sec. 7.** NRS 363C.350 is hereby amended to read as follows:

25 363C.350 1. The manufacturing business category (NAICS  
26 31, 32 and 33) includes all business entities primarily engaged in the  
27 mechanical, physical or chemical transformation of materials,  
28 substances or components into new products.

29 2. Examples of business entities in this category include,  
30 without limitation, milk bottling and pasteurizing, water bottling and  
31 processing, fresh fish packaging, apparel jobbing, contracting on  
32 materials owned by others, printing and related activities, ready-  
33 mixed concrete production, leather converting, grinding of lenses to  
34 prescription, wood preserving, electroplating, plating, metal heat,  
35 treating and polishing for the trade, lapidary work for the trade,  
36 fabricating signs and advertising displays, rebuilding or  
37 remanufacturing machinery, ship repair and renovation, machine  
38 shops and tire retreading.

39 3. The amount of the commerce tax for a business entity  
40 included in this category is the amount obtained by subtracting  
41 ~~[\$4,000,000]~~ \$6,000,000 from the Nevada gross revenue of the  
42 business entity for the taxable year and multiplying that amount by  
43 0.091 percent.



1       **Sec. 8.** NRS 363C.360 is hereby amended to read as follows:  
2       363C.360 1. The wholesale trade business category (NAICS  
3 42) includes all business entities primarily engaged in wholesaling  
4 merchandise, generally without transformation, and rendering  
5 services incidental to the sale of merchandise.

6       2. The amount of the commerce tax for a business entity  
7 included in this category is the amount obtained by subtracting  
8 ~~[\$4,000,000]~~ \$6,000,000 from the Nevada gross revenue of the  
9 business entity for the taxable year and multiplying that amount by  
10 0.101 percent.

11       **Sec. 9.** NRS 363C.370 is hereby amended to read as follows:

12       363C.370 1. The retail trade business category (NAICS 44  
13 and 45) includes all businesses primarily engaged in retailing  
14 merchandise, generally without transformation, and rendering  
15 services incidental to the sale of merchandise.

16       2. The amount of the commerce tax for a business entity  
17 included in this category is the amount obtained by subtracting  
18 ~~[\$4,000,000]~~ \$6,000,000 from the Nevada gross revenue of the  
19 business entity for the taxable year and multiplying that amount by  
20 0.111 percent.

21       **Sec. 10.** NRS 363C.380 is hereby amended to read as follows:

22       363C.380 1. The air transportation business category  
23 (NAICS 481) includes all business entities primarily engaged in  
24 providing air transportation of passengers or cargo, or both, using  
25 aircraft, such as an airplane and helicopter.

26       2. The amount of the commerce tax for a business entity  
27 included in this category is the amount obtained by subtracting  
28 ~~[\$4,000,000]~~ \$6,000,000 from the Nevada gross revenue of the  
29 business entity for the taxable year and multiplying that amount by  
30 0.058 percent.

31       **Sec. 11.** NRS 363C.390 is hereby amended to read as follows:

32       363C.390 1. The rail transportation business category  
33 (NAICS 482) includes all business entities primarily engaged in  
34 providing rail transportation of passengers or cargo, or both, using  
35 railroad rolling stock.

36       2. The amount of the commerce tax for a business entity  
37 included in this category is the amount obtained by subtracting  
38 ~~[\$4,000,000]~~ \$6,000,000 from the Nevada gross revenue of the  
39 business entity for the taxable year and multiplying that amount by  
40 0.331 percent.

41       **Sec. 12.** NRS 363C.400 is hereby amended to read as follows:

42       363C.400 1. The other transportation business category  
43 (NAICS 483, 485, 486, 487, 488, 491 and 492) includes all business  
44 entities primarily engaged in:



1 (a) Water transportation, including, without limitation, the  
2 transportation of passengers and cargo using watercraft;

3 (b) Transit and ground passenger transportation, including,  
4 without limitation, charter buses, school buses, interurban bus  
5 transportation, taxis and limousine services, street railroads,  
6 commuter rail and rapid transit;

7 (c) Pipeline transportation, including, without limitation, using  
8 transmission pipelines to transport products, such as crude oil,  
9 natural gas, refined petroleum products and slurry;

10 (d) Scenic and sightseeing transportation, including, without  
11 limitation, on land or the water, or in the air;

12 (e) Support activities for transportation, including, without  
13 limitation, air traffic control services, marine cargo handling, motor  
14 vehicle towing, railroad switching and terminals, and ship repair and  
15 maintenance not done in a shipyard, such as floating drydock  
16 services in a harbor;

17 (f) Postal services, including, without limitation, the activities of  
18 the United States Postal Service and its subcontractors operating  
19 under a universal service obligation to provide mail services, deliver  
20 letters and small parcels, and rural post offices on contract to the  
21 United States Postal Service; and

22 (g) Courier and messenger services, including, without  
23 limitation, the provision of intercity, local or international delivery  
24 of parcels and documents without operating under a universal  
25 service obligation.

26 2. The amount of the commerce tax for a business entity  
27 included in this category is the amount obtained by subtracting  
28 ~~[\$4,000,000]~~ \$6,000,000 from the Nevada gross revenue of the  
29 business entity for the taxable year and multiplying that amount by  
30 0.129 percent.

31 **Sec. 13.** NRS 363C.410 is hereby amended to read as follows:

32 363C.410 1. The truck transportation business category  
33 (NAICS 484) includes all business entities primarily engaged in  
34 providing over-the-road transportation of cargo using motor  
35 vehicles, such as a truck and tractor trailer.

36 2. The amount of the commerce tax for a business entity  
37 included in this category is the amount obtained by subtracting  
38 ~~[\$4,000,000]~~ \$6,000,000 from the Nevada gross revenue of the  
39 business entity for the taxable year and multiplying that amount by  
40 0.202 percent.

41 **Sec. 14.** NRS 363C.420 is hereby amended to read as follows:

42 363C.420 1. The warehousing and storage business category  
43 (NAICS 493) includes all business entities primarily engaged in  
44 operating warehousing and storage facilities for general  
45 merchandise, refrigerated goods and other warehouse products.



1 2. The amount of the commerce tax for a business entity  
2 included in this category is the amount obtained by subtracting  
3 ~~[\$4,000,000]~~ **\$6,000,000** from the Nevada gross revenue of the  
4 business entity for the taxable year and multiplying that amount by  
5 0.128 percent.

6 **Sec. 15.** NRS 363C.430 is hereby amended to read as follows:

7 363C.430 1. The publishing, software and data processing  
8 business category (NAICS 511, 512, 515 and 518) includes all  
9 business entities primarily engaged in:

10 (a) Publishing, except on the Internet, including, without  
11 limitation, the publishing of newspapers, magazines, other  
12 periodicals and books, as well as directory and mailing list and  
13 software publishing;

14 (b) Motion picture and sound recording, including, without  
15 limitation, the production and distribution of motion pictures and  
16 sound recordings;

17 (c) Broadcasting, except on the Internet, including, without  
18 limitation, creating content or acquiring the right to distribute  
19 content and subsequently broadcast the content; and

20 (d) Data processing, hosting and related services, including,  
21 without limitation, the provision of infrastructure for hosting and  
22 data processing services.

23 2. The amount of the commerce tax for a business entity  
24 included in this category is the amount obtained by subtracting  
25 ~~[\$4,000,000]~~ **\$6,000,000** from the Nevada gross revenue of the  
26 business entity for the taxable year and multiplying that amount by  
27 0.253 percent.

28 **Sec. 16.** NRS 363C.440 is hereby amended to read as follows:

29 363C.440 1. The finance and insurance business category  
30 (NAICS 52) includes all business entities primarily engaged in  
31 financial transactions or in facilitating financial transactions.

32 2. The amount of the commerce tax for a business entity  
33 included in this category is the amount obtained by subtracting  
34 ~~[\$4,000,000]~~ **\$6,000,000** from the Nevada gross revenue of the  
35 business entity for the taxable year and multiplying that amount by  
36 0.111 percent.

37 **Sec. 17.** NRS 363C.450 is hereby amended to read as follows:

38 363C.450 1. The real estate and rental and leasing business  
39 category (NAICS 53) includes all business entities primarily  
40 engaged in renting, leasing or otherwise allowing the use of tangible  
41 or intangible assets, providing related services, managing real estate  
42 for others, selling, renting or buying real estate for others, and  
43 appraising real estate.

44 2. The amount of the commerce tax for a business entity  
45 included in this category is the amount obtained by subtracting





1 ~~[\$4,000,000]~~ **\$6,000,000** from the Nevada gross revenue of the  
2 business entity for the taxable year and multiplying that amount by  
3 0.25 percent.

4 **Sec. 18.** NRS 363C.460 is hereby amended to read as follows:

5 363C.460 1. The professional, scientific and technical  
6 services business category (NAICS 54) includes all business entities  
7 primarily engaged in performing professional, scientific and  
8 technical activities for others.

9 2. The amount of the commerce tax for a business entity  
10 included in this category is the amount obtained by subtracting  
11 ~~[\$4,000,000]~~ **\$6,000,000** from the Nevada gross revenue of the  
12 business entity for the taxable year and multiplying that amount by  
13 0.181 percent.

14 **Sec. 19.** NRS 363C.470 is hereby amended to read as follows:

15 363C.470 1. The management of companies and enterprises  
16 business category (NAICS 55) includes all business entities  
17 primarily engaged in:

18 (a) Holding the securities of, or other equity interests in,  
19 companies and enterprises for the purpose of owning a controlling  
20 interest or influencing management decisions; or

21 (b) Administering, overseeing and managing establishments of  
22 the company or enterprise and that normally undertake the strategic  
23 or organizational planning and decision-making role of the company  
24 or enterprise.

25 2. The amount of the commerce tax for a business entity  
26 included in this category is the amount obtained by subtracting  
27 ~~[\$4,000,000]~~ **\$6,000,000** from the Nevada gross revenue of the  
28 business entity for the taxable year and multiplying that amount by  
29 0.137 percent.

30 **Sec. 20.** NRS 363C.480 is hereby amended to read as follows:

31 363C.480 1. The administrative and support services  
32 business category (NAICS 561) includes all business entities  
33 primarily engaged in activities that support the day-to-day  
34 operations of other organizations.

35 2. The amount of the commerce tax for a business entity  
36 included in this category is the amount obtained by subtracting  
37 ~~[\$4,000,000]~~ **\$6,000,000** from the Nevada gross revenue of the  
38 business entity for the taxable year and multiplying that amount by  
39 0.154 percent.

40 **Sec. 21.** NRS 363C.490 is hereby amended to read as follows:

41 363C.490 1. The waste management and remediation  
42 services business category (NAICS 562) includes all business  
43 entities primarily engaged in the collection, treatment and disposal  
44 of waste materials.



1 2. The amount of the commerce tax for a business entity  
2 included in this category is the amount obtained by subtracting  
3 ~~[\$4,000,000]~~ \$6,000,000 from the Nevada gross revenue of the  
4 business entity for the taxable year and multiplying that amount by  
5 0.261 percent.

6 **Sec. 22.** NRS 363C.500 is hereby amended to read as follows:

7 363C.500 1. The educational services business category  
8 (NAICS 61) includes all businesses primarily engaged in providing  
9 instruction and training in a wide variety of subjects.

10 2. The amount of the commerce tax for a business entity  
11 included in this category is the amount obtained by subtracting  
12 ~~[\$4,000,000]~~ \$6,000,000 from the Nevada gross revenue of the  
13 business entity for the taxable year and multiplying that amount by  
14 0.281 percent.

15 **Sec. 23.** NRS 363C.510 is hereby amended to read as follows:

16 363C.510 1. The health care and social assistance business  
17 category (NAICS 62) includes all business entities primarily  
18 engaged in providing health care and social assistance for natural  
19 persons.

20 2. The amount of the commerce tax for a business entity  
21 included in this category is the amount obtained by subtracting  
22 ~~[\$4,000,000]~~ \$6,000,000 from the Nevada gross revenue of the  
23 business entity for the taxable year and multiplying that amount by  
24 0.190 percent.

25 **Sec. 24.** NRS 363C.520 is hereby amended to read as follows:

26 363C.520 1. The arts, entertainment and recreation business  
27 category (NAICS 71) includes all business entities primarily  
28 engaged in operating facilities or providing services to meet varied  
29 cultural, entertainment and recreational interests of their patrons.

30 2. The amount of the commerce tax for a business entity  
31 included in this category is the amount obtained by subtracting  
32 ~~[\$4,000,000]~~ \$6,000,000 from the Nevada gross revenue of the  
33 business entity for the taxable year and multiplying that amount by  
34 0.24 percent.

35 **Sec. 25.** NRS 363C.530 is hereby amended to read as follows:

36 363C.530 1. The accommodation business category (NAICS  
37 721) includes all business entities primarily engaged in providing  
38 lodging or short-term accommodations for travelers, vacationers and  
39 others.

40 2. The amount of the commerce tax for a business entity  
41 included in this category is the amount obtained by subtracting  
42 ~~[\$4,000,000]~~ \$6,000,000 from the Nevada gross revenue of the  
43 business entity for the taxable year and multiplying that amount by  
44 0.2 percent.



1       **Sec. 26.** NRS 363C.540 is hereby amended to read as follows:  
2       363C.540 1. The food services and drinking places business  
3 category (NAICS 722) includes all business entities primarily  
4 engaged in preparing meals, snacks and beverages to customer order  
5 for immediate on-premises and off-premises consumption.

6       2. The amount of the commerce tax for a business entity  
7 included in this category is the amount obtained by subtracting  
8 ~~[\$4,000,000]~~ **\$6,000,000** from the Nevada gross revenue of the  
9 business entity for the taxable year and multiplying that amount by  
10 0.194 percent.

11       **Sec. 27.** NRS 363C.550 is hereby amended to read as follows:

12       363C.550 1. The other services business category (NAICS  
13 81) includes all business entities primarily engaged in providing  
14 services not included in any of the business categories described in  
15 NRS 363C.310 to 363C.540, inclusive. Business entities in this  
16 category are primarily engaged in activities such as repairing  
17 equipment and machinery, promoting or administering religious  
18 activities, grantmaking, advocacy, and providing dry cleaning and  
19 laundry services, personal care services, death care services, pet care  
20 services, photofinishing services, temporary parking services and  
21 dating services.

22       2. The amount of the commerce tax for a business entity  
23 included in this category is the amount obtained by subtracting  
24 ~~[\$4,000,000]~~ **\$6,000,000** from the Nevada gross revenue of the  
25 business entity for the taxable year and multiplying that amount by  
26 0.142 percent.

27       **Sec. 28.** NRS 363C.560 is hereby amended to read as follows:

28       363C.560 1. The unclassified business category includes any  
29 business entity not included in any of the business categories  
30 established by NRS 363C.310 to 363C.550, inclusive.

31       2. The amount of the commerce tax for a business entity  
32 included in this category is the amount obtained by subtracting  
33 ~~[\$4,000,000]~~ **\$6,000,000** from the Nevada gross revenue of the  
34 business entity for the taxable year and multiplying that amount by  
35 0.128 percent.

36       **Sec. 29.** 1. There is hereby appropriated from the State  
37 General Fund to the State Highway Fund the sum of \$250,000,000  
38 for the administration, construction, reconstruction, improvement  
39 and maintenance of highways as provided for in chapter 408 of  
40 NRS.

41       2. For the excise tax imposed pursuant to NRS 365.175, a  
42 discount in the amount of 100 percent of the tax shall be allowed for  
43 all motor vehicle fuel, except aviation fuel, sold, distributed or used  
44 by a supplier during Fiscal Year 2023-2024.



1 3. The State Treasurer shall provide notification to persons  
2 who hold bonds issued pursuant to the State Securities Law which  
3 are secured by the revenues from the tax imposed pursuant to NRS  
4 365.175 of the discount provided pursuant to subsection 2 and that  
5 the proceeds of the tax imposed pursuant to NRS 365.175 which are  
6 not collected as a result of the discount will be replaced by other  
7 state funds. The State Treasurer shall provide the notification  
8 required pursuant to this subsection through the Electronic  
9 Municipal Market Access of the Municipal Securities Rulemaking  
10 Board and such other channels for the dissemination of municipal  
11 market information as the State Treasurer deems appropriate.

12 4. On or before September 30, 2024, the Department of Motor  
13 Vehicles shall determine, based upon the statements submitted to  
14 the Department pursuant to NRS 365.175 during Fiscal Year 2023-  
15 2024, the amount of the proceeds of the tax imposed pursuant to  
16 NRS 365.175 which would have been collected during Fiscal Year  
17 2023-2024 if not for the discount provided pursuant to subsection 2.  
18 If the amount of the proceeds which would have been collected, as  
19 determined by the Department pursuant to this subsection, is:

20 (a) More than \$250,000,000, the Department shall notify the  
21 State Controller who shall transfer from the State General Fund to  
22 the State Highway Fund an amount of money which is equal to the  
23 amount by which the proceeds of the tax imposed pursuant to NRS  
24 365.175 which would have been collected during Fiscal Year 2023-  
25 2024 if not for the discount provided pursuant to subsection 2, as  
26 determined by the Department pursuant to this subsection, is greater  
27 than \$250,000,000.

28 (b) Less than \$250,000,000, the Department shall notify the  
29 State Controller who shall transfer from the State Highway Fund to  
30 the State General Fund an amount of money which is equal to the  
31 amount by which \$250,000,000 is greater than the proceeds of the  
32 tax imposed pursuant to NRS 365.175 which would have been  
33 collected during Fiscal Year 2023-2024 if not for the discount  
34 provided pursuant to subsection 2, as determined by the Department  
35 pursuant to this subsection.

36 5. As used in this section, the words and terms defined in NRS  
37 365.015 to 365.092, inclusive, have the meanings ascribed to them  
38 in those sections.

39 **Sec. 30.** 1. There is hereby appropriated from the State  
40 General Fund to the:

41 (a) Department of Motor Vehicles the sum of \$25,000 to carry  
42 out the provisions of section 29 of this act.

43 (b) Department of Taxation the sum of \$25,000 for the costs of  
44 implementing changes to the provisions governing the commerce  
45 tax pursuant to sections 1 to 28, inclusive, of this act.



2. Any remaining balance of the appropriations made by subsection 1 must not be committed for expenditure after June 30, 2025, by the entity to which the appropriation is made or any entity to which money from the appropriation is granted or otherwise transferred in any manner, and any portion of the appropriated money remaining must not be spent for any purpose after September 19, 2025, by either the entity to which the money was appropriated or the entity to which the money was subsequently granted or transferred, and must be reverted to the State General Fund on or before September 19, 2025.

**Sec. 31.** 1. There is hereby appropriated from the State General Fund to the Office of the Attorney General for investigations and enforcement actions related to the provisions of section 29 of this act the following sums:

For the Fiscal Year 2023-2024 .....	\$200,000
For the Fiscal Year 2024-2025 .....	\$100,000

2. Any balance of the sums appropriated by subsection 1 remaining at the end of the respective fiscal years must not be committed for expenditure after June 30 of the respective fiscal years by the entity to which the appropriation is made or any entity to which money from the appropriation is granted or otherwise transferred in any manner, and any portion of the appropriated money remaining must not be spent for any purpose after September 20, 2024, and September 19, 2025, respectively, by either the entity to which the money was appropriated or the entity to which the money was subsequently granted or transferred, and must be reverted to the State General Fund on or before September 20, 2024, and September 19, 2025, respectively.

**Sec. 32.** Notwithstanding the provisions of NRS 218D.430 and 218D.435, a committee may vote on this act before the expiration of the period prescribed for the return of a fiscal note in NRS 218D.475. The section applies retroactively from and after May 10, 2023.

**Sec. 33.** This act becomes effective on July 1, 2023.

