

SENATE BILL NO. 220—SENATOR LANGE

FEBRUARY 19, 2025

Referred to Committee on Revenue and  
Economic Development

**SUMMARY**—Enacts the Nevada Film Infrastructure, Workforce Development, Education and Economic Diversification Act. (BDR S-18)

**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 economic development; enacting the Nevada Film Infrastructure, Workforce Development, Education and Economic Diversification Act; requiring the Office of Economic Development to enter into a development agreement to establish certain criteria for the development of infrastructure for the production of motion pictures and other qualified productions; establishing requirements for a production company located at such a development to be eligible for film infrastructure transferable tax credits for qualified productions produced at the development; providing for the calculation of the amount of film infrastructure transferable tax credits; revising provisions governing noninfrastructure transferable tax credits for motion pictures and other qualified productions produced in this State; authorizing an additional amount of noninfrastructure transferable tax credits; establishing the Account for Nevada Film, Media and Related Technology Education and Vocational Training and a board to approve distributions from the Account; providing for the distribution of money in the Account; and providing other matters properly relating thereto.

**Legislative Counsel’s Digest:**

- 1 Existing law establishes a program for the issuance of transferable tax credits
- 2 by the Office of Economic Development to the production company of a motion



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3 picture or other qualified production, based upon qualified direct production  
4 expenditures made for the purchase, rental or lease of personal property or services  
5 from a Nevada business. (NRS 360.758-360.7598) This bill revises provisions  
6 governing these transferable tax credits and enacts the Nevada Film Infrastructure,  
7 Workforce Development, Education and Economic Diversification Act to authorize  
8 film infrastructure transferable tax credits for qualified productions produced at the  
9 Nevada Studios Project at the Harry Reid Research and Technology Park, which is  
10 owned by the University of Nevada, Las Vegas Research Foundation.

11 **Sections 1-18** of this bill enact the Nevada Film Infrastructure, Workforce  
12 Development, Education and Economic Diversification Act, which provides for  
13 film infrastructure transferable tax credits to be issued to production companies that  
14 produce qualified productions, in whole or in part, at the Nevada Studios Project, as  
15 defined in **section 8**. **Section 10** requires the Office of Economic Development to  
16 enter into a development agreement with the lead participant for the Project and to  
17 establish certain criteria that the Project is required to satisfy in exchange for  
18 production companies located at the Project to be eligible for film infrastructure  
19 transferable tax credits. **Section 12:** (1) authorizes a production company located at  
20 the Project that has obtained the written approval of the lead participant under  
21 **section 11** to apply for film infrastructure transferable tax credits for qualified  
22 productions produced, in whole or in part, at the Project; and (2) authorizes such  
23 credits to be used against the modified business tax, insurance premium tax or  
24 gaming license fee, or any combination of these taxes and fees. **Section 13**  
25 establishes the qualified direct production expenditures which are the basis for  
26 calculating the amount of film infrastructure transferable tax credits, including,  
27 without limitation, purchases, leases and rentals of property or services from a  
28 Nevada business, wages and fringe benefits paid to employees who are Nevada  
29 residents for services on the qualified production, certain fees paid to producers and  
30 amounts paid to certain corporations or companies for the services of certain  
31 persons on the qualified production. **Section 14** provides that the base amount of  
32 film infrastructure transferable tax credits is the sum of: (1) 35 percent of the  
33 qualified direct production expenditures paid to Nevada residents for services in  
34 connection with the qualified production; and (2) 30 percent of the amount of all  
35 other qualified direct production expenditures. Under **section 14:** (1) the amount of  
36 film infrastructure transferable tax credits for which a production company is  
37 eligible is reduced by specified percentages if, after certain periods, the number of  
38 Nevada residents who are below-the-line personnel of the qualified production is  
39 less than certain percentages; (2) film infrastructure transferable tax credits may be  
40 reduced by the amount of any damages incurred by the State or a political  
41 subdivision of this State as a result of a qualified production; and (3) film  
42 infrastructure transferable tax credits may be withheld for certain violations of law.  
43 **Section 15:** (1) establishes the maximum amount of film infrastructure transferable  
44 tax credits that may be issued pursuant to **sections 1-18** during each 12-month  
45 period of the development period and for each fiscal year thereafter; (2) authorizes  
46 50 percent of the amount of film infrastructure transferable tax credits that are  
47 authorized for the development period or for a fiscal year following the  
48 development period, but are not approved, to be carried forward and made available  
49 for approval in subsequent fiscal years; and (3) prohibits the issuance of film  
50 infrastructure transferable tax credits for a fiscal year that begins more than 15  
51 years after the Project receives its first certificate of occupancy. **Section 16**  
52 establishes the time within which a production company that produces a qualified  
53 production is required to submit to the Office and the Department of Taxation any  
54 audits or other information required to determine the eligibility of the production  
55 company for film infrastructure transferable tax credits. **Section 17** requires a  
56 production company to repay film infrastructure transferable tax credits under



57 certain circumstances. **Section 18** requires certain reports to be made to the  
58 Governor and the Legislature concerning film infrastructure transferable tax credits.

59 **Sections 19-24** of this bill make various changes to the existing law governing  
60 the noninfrastructure transferable tax credits for motion picture and other qualified  
61 productions. (NRS 360.758-360.7598) **Section 19:** (1) provides that digital media  
62 productions are qualified productions for the purposes of eligibility for film  
63 infrastructure transferable tax credits and noninfrastructure transferable tax credits;  
64 and (2) clarifies that media productions solely produced for social media are not  
65 eligible for such transferable tax credits. **Section 20** revises certain criteria for a  
66 qualified production to be eligible for noninfrastructure transferable tax credits.  
67 **Section 21** increases the base amount of noninfrastructure transferable tax credits  
68 for an application submitted in each fiscal year beginning on or after July 1, 2025,  
69 and ending before July 1, 2043, from 15 percent of the qualified direct production  
70 expenditures to the sum of: (1) 35 percent of the qualified direct production  
71 expenditures paid to Nevada residents for services in connection with the qualified  
72 production; and (2) 30 percent of the amount of all other qualified direct production  
73 expenditures. **Section 21** also requires reductions to that base amount under certain  
74 circumstances. **Section 22** temporarily increases from \$10,000,000 to \$15,000,000  
75 the total amount of noninfrastructure transferable tax credits for motion picture and  
76 other qualified productions that may be issued under the existing program for each  
77 fiscal year beginning on or after July 1, 2028, until June 30, 2043. **Section 23**  
78 makes conforming changes to update a reference that was renumbered in **section 20**  
79 and to consistently refer to the existing program of transferable tax credits as  
80 noninfrastructure transferable tax credits. **Section 24** makes conforming changes so  
81 that the information required to be reported by the Office concerning  
82 noninfrastructure transferable tax credits is similar to the information required to be  
83 reported by the Office concerning film infrastructure transferable tax credits.

84 **Sections 25-32** of this bill establish a program to pay certain costs related to the  
85 Nevada Media and Technology Lab and to provide grants to certain organizations  
86 that provide education and vocational training for workforce development for the  
87 production of motion picture and other qualified productions. **Section 30** creates  
88 the Account for Nevada Film, Media and Related Technology Education and  
89 Vocational Training for the purpose of paying certain costs related to the Nevada  
90 Media and Technology Lab and to make grants to certain entities and organizations  
91 that provide education and vocational training for such workforce development.  
92 **Sections 12 and 20** require a production company that is issued transferable tax  
93 credits for a qualified production to pay to the Office an amount of money equal to  
94 10 percent of the amount of transferable tax credits issued to the qualified  
95 production, and require the Office to deposit that money with the State Treasurer  
96 for credit to the Account. **Section 31** creates and provides for the composition of  
97 the Board for Nevada Film, Media and Related Technology Education and  
98 Vocational Training within the Office of Economic Development. **Section 32**  
99 requires the Board to: (1) establish the procedures for a person or entity to apply for  
100 a grant of money from the Account, the criteria to be used to determine whether to  
101 approve an application for a grant from the Account to an applicant and the  
102 requirements for reports by recipients of such grants concerning the use of the  
103 grants; (2) prohibits the making of a grant from the Account unless the Board  
104 approves the application for the grant; and (3) requires a recipient of a grant from  
105 the Account to adopt and implement a community benefits program that satisfies  
106 certain requirements.



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

1     **Section 1.** This act may be cited as the Nevada Film  
2 Infrastructure, Workforce Development, Education and Economic  
3 Diversification Act.

4     **Sec. 2.** 1. The Legislature hereby finds and declares that:

5     (a) The Las Vegas Metropolitan Area is the largest metropolitan  
6 area in this State and has a need to improve the education and  
7 training of the workforce in the Las Vegas Metropolitan Area and to  
8 diversify the economy of the Area, as indicated by the impact of the  
9 COVID-19 pandemic on the Area. The Harry Reid Research and  
10 Technology Park has been identified as a location in the Las Vegas  
11 Metropolitan Area for a project that can address the needs of the Las  
12 Vegas Metropolitan Area for workforce education and training and  
13 economic diversification.

14     (b) Land at the Harry Reid Research and Technology Park will  
15 be allocated for an educational and vocational training center, to be  
16 known as the Nevada Media and Technology Lab, which will  
17 provide workforce development, education and economic  
18 diversification by providing career pathways in film, video game  
19 publishing, defense, health care and other industries identified by  
20 the UNLV Research Foundation through the Creative Technology  
21 Initiative at the University of Nevada, Las Vegas, and the Video  
22 Game Publishing Design Program Initiative at the University of  
23 Nevada, Las Vegas.

24     (c) Land at the Harry Reid Research and Technology Park will  
25 also be allocated for large-scale facilities for the location of  
26 companies that produce motion pictures and other qualified  
27 productions in this State, which will create high-paying jobs in that  
28 industry and diversify the economy of the Las Vegas Metropolitan  
29 Area and this State as a whole.

30     (d) Because the Las Vegas Metropolitan Area and the Harry  
31 Reid Research and Technology Park is the only area in this State  
32 that is appropriate and suitable for the Nevada Media and  
33 Technology Lab and the development of large-scale projects to  
34 develop large-scale facilities for the location of companies that  
35 produce motion pictures and other qualified productions and has all  
36 the special attributes, conditions and resources that are essential to  
37 support such facilities, it is necessary to enact a law of local and  
38 special application to promote, develop and secure the advantages of  
39 the local and special characteristics and circumstances within the  
40 Las Vegas Metropolitan Area, which are found nowhere else in this  
41 State, and to benefit the residents of the Las Vegas Metropolitan  
42 Area.



1 (e) Therefore, given that a law of local and special application is  
2 necessary to promote, develop and secure the advantages of the  
3 local and special characteristics and circumstances within the Las  
4 Vegas Metropolitan Area, which are found nowhere else within this  
5 State, and given that such a law is necessary to benefit the residents  
6 of that local and special area, a general law cannot be made  
7 applicable to the purposes, objects, powers, rights, privileges,  
8 immunities, liabilities, duties and disabilities set forth in the Nevada  
9 Film Infrastructure, Workforce Development, Education and  
10 Economic Diversification Act.

11 2. The Legislature further finds and declares that as a result of  
12 the construction of large-scale facilities for the production of motion  
13 pictures and other qualified productions in this State and the direct,  
14 indirect and induced economic benefits of such productions in this  
15 State, the enactment of the Act will achieve a bona fide social or  
16 economic purpose and the economic benefits of the issuance of the  
17 transferable tax credits to encourage the location of large-scale  
18 facilities for the production of motion pictures and other qualified  
19 productions in this State are expected to exceed any adverse effect  
20 of the transferable tax credits on the revenue raised for the provision  
21 of services to the public by the State or a local government.

22 **Sec. 3.** As used in sections 1 to 18, inclusive, of this act,  
23 unless the context otherwise requires, the words and terms defined  
24 NRS 360.7581 to 360.7586, inclusive, as amended by section 19 of  
25 this act, have the meanings ascribed to them in those sections, and  
26 the words and terms defined in sections 4 to 9, inclusive, of this act  
27 have the meanings ascribed to them in those sections.

28 **Sec. 4.** "Capital investment" means all costs and expenses  
29 incurred by the lead participant in the Nevada Studios Project only  
30 in connection with the acquisition of land, including, without  
31 limitation, the right to the possession of land through a ground lease,  
32 and the design, construction, financing, installation and equipping of  
33 the infrastructure, at the Project for the development of the Nevada  
34 Media and Technology Lab and large-scale facilities for the location  
35 of companies that produce qualified productions at the Project. The  
36 amount of capital investment made in connection with the  
37 acquisition of a right to possess land through a ground lease must be  
38 the cost equivalent of the land.

39 **Sec. 5.** "Lead participant" means the person or entity  
40 designated by the owner of the Nevada Studios Project as the lead  
41 participant for the Project, or the designee or subcontractor of such a  
42 person or entity who is authorized to operate or provide specialized  
43 equipment, technical support or other production services at the  
44 Project on an exclusive or nonexclusive basis.



1       **Sec. 6.** “Lead supplier” means the person or entity who has the  
2 expertise, capability and resources to support the expansion and  
3 retention of production companies who will produce qualified  
4 productions in this State through the provision of specialized  
5 equipment, technical support and other production services and who  
6 is designated by the lead participant to sell or lease services or  
7 equipment to production companies applying for film infrastructure  
8 transferable tax credits for use in the production of qualified  
9 productions.

10       **Sec. 7.** “Nevada Media and Technology Lab” means a site  
11 within the Nevada Studios Project at which the University of  
12 Nevada, Las Vegas, the College of Southern Nevada, the Nevada  
13 State University, the Clark County School District and any other  
14 educational organization, may offer programs of education and  
15 vocational training that will connect the Project with organizations  
16 in this State that provide education and vocational training for the  
17 development of a trained workforce capable of being above-the-line  
18 personnel and below-the-line personnel for the production of  
19 qualified productions in this State. The educational organizations  
20 participating in the Nevada Media and Technology Lab may  
21 include, without limitation, universities, colleges, community  
22 colleges, school districts, private schools, charter schools, secondary  
23 schools, elementary schools, media-related vocational school  
24 programs, defense industry programs, health care industry  
25 programs, hospitality workers, veterans organizations and other  
26 entities, organizations and persons that seek or provide vocational  
27 training and education that will diversify the economy of this State.

28       **Sec. 8.** “Nevada Studios Project” means a real estate  
29 development and infrastructure project undertaken by a business or  
30 group of businesses that:

31       1. Is located on land at the Harry Reid Research and  
32 Technology Park, which is owned by the University of Nevada, Las  
33 Vegas Research Foundation and acquired by, or leased under a  
34 ground lease to, a participant in the Project, and any land adjacent,  
35 kitty-corner or immediately contiguous to the land that is acquired  
36 by, or leased under a ground lease to, the lead participant in the  
37 Project, even if such land is separated by a public street, the general  
38 description of which is land north of West Sunset Road, west of  
39 South Cimarron Road, south of West Patrick Lane, east of South  
40 Durango Drive and north of West Post Road; and

41       2. Consists of a development that integrates at one site various  
42 components for the production of qualified productions, including,  
43 without limitation, film and television production studios with  
44 multiple soundstages and support facilities and services, sites for the



1 creation of content for qualified productions and the Nevada Media  
2 and Technology Lab.

3 **Sec. 9.** “Office” means the Office of Economic Development  
4 within the Office of the Governor.

5 **Sec. 10.** 1. Not later than 120 days after July 1, 2025, the  
6 Office shall enter into a development agreement with the lead  
7 participant for the Nevada Studios Project. The development  
8 agreement entered into pursuant to this subsection:

9 (a) Except as otherwise provided in subsection 2, must require  
10 the lead participant for the Project to make a total new capital  
11 investment in this State of:

12 (1) At least \$150,000,000 by December 31, 2028; and

13 (2) At least a cumulative total, including the amount  
14 described in subparagraph (1), of \$300,000,000 by December 31,  
15 2029;

16 (b) Must establish the minimum number of soundstages at the  
17 Project to be used for the various components of the production of  
18 qualified productions and require the Project to include the Nevada  
19 Media and Technology Lab;

20 (c) May include such other provisions, not inconsistent with  
21 law, to carry out the provisions of the Act concerning the  
22 development of the Project and the issuance of film infrastructure  
23 transferable tax credits pursuant to sections 1 to 18, inclusive, of this  
24 act, as agreed to by the Office and the lead participant; and

25 (d) Must not include any requirements for the development of  
26 the Project, other than the requirements set forth in paragraphs (a)  
27 and (b) or any requirements to qualify for the issuance of film  
28 infrastructure transferable tax credits.

29 2. As the Executive Director of the Office deems necessary or  
30 advisable, the Executive Director may modify the requirements of  
31 paragraph (a) of subsection 1 only by extending the date by which  
32 the capital investment required by that paragraph must be made.

33 3. The Office shall not approve any abatement, partial  
34 abatement or exemption from taxes or any other incentive for  
35 economic development, other than film infrastructure transferable  
36 tax credits pursuant to sections 1 to 18, inclusive, of this act or  
37 noninfrastructure transferable tax credits pursuant to NRS 360.758  
38 to 360.7598, inclusive, for the Nevada Studios Project if the lead  
39 participant has entered into a development agreement with the  
40 Office pursuant to this section.

41 **Sec. 11.** A production company must obtain the written  
42 approval of the lead participant before submitting an application for  
43 film infrastructure transferable tax credits pursuant to section 12 of  
44 this act. Not later than 10 business days after receiving from a  
45 production company a written request for approval to apply for film



1 infrastructure transferable tax credits pursuant to section 12 of this  
2 act, the lead participant shall approve or deny the request and notify  
3 the production company, in writing, of the approval or denial of the  
4 request.

5 **Sec. 12.** 1. Beginning on the date on which the lead  
6 participant executes a development agreement pursuant to section  
7 10 of this act, a production company that produces, in whole or in  
8 part, a qualified production in this State, may apply to the Office for  
9 a certificate of eligibility for film infrastructure transferable tax  
10 credits for any qualified direct production expenditures. The film  
11 infrastructure transferable tax credits may be applied to:

12 (a) Any tax imposed by chapters 363A and 363B of NRS;

13 (b) The gaming license fees imposed by the provisions of  
14 NRS 463.370;

15 (c) Any tax imposed by chapter 680B of NRS; or

16 (d) Any combination of the fees and taxes described in  
17 paragraphs (a), (b) and (c).

18 2. Except as otherwise provided in section 15 of this act, the  
19 Executive Director of the Office shall approve an application for a  
20 certificate of eligibility for film infrastructure transferable tax  
21 credits if the Office finds that the production company qualifies for  
22 the film infrastructure transferable tax credits pursuant to subsection

23 3. If the Office approves an application for a certificate of eligibility  
24 for film infrastructure transferable tax credits, the Office shall  
25 calculate the estimated amount of film infrastructure transferable tax  
26 credits pursuant to sections 14 and 15 of this act.

27 3. To be eligible for film infrastructure transferable tax credits  
28 pursuant to this section, the production company must:

29 (a) Submit an application that meets the requirements of  
30 subsection 4;

31 (b) Submit to the Office the written approval from the lead  
32 participant stating that the lead participant has approved the  
33 production company to apply for film infrastructure transferable tax  
34 credits for the qualified production for which the application is  
35 submitted;

36 (c) Provide proof to the Office that 70 percent or more of the  
37 funding for the qualified production has been obtained;

38 (d) Provide proof to the Office that:

39 (1) At least 50 percent of the total number of days of  
40 principal photography on which a stage is used, and at least 30  
41 percent of the total number of days of second-unit filming on which  
42 a stage is used, will occur at the Nevada Studios Project; or

43 (2) At least \$500,000 of qualified direct production  
44 expenditures will be incurred at the site of the Project;

45 (e) Provide proof to the Office that:





1 (1) The production company has in place a diversity plan for  
2 hiring minority persons and women in all areas of the production of  
3 the qualified production, including, without limitation, production  
4 crew and staff, entry-level positions, management positions and  
5 talent-related positions, and for using vendors that are minority-  
6 owned business enterprises or women-owned business enterprises;

7 (2) The diversity plan establishes goals for hiring persons,  
8 and using vendors, that reflect the racial and gender demographics  
9 of this State and that are stated in terms of wages paid to minority  
10 persons and women and prices paid to vendors that are minority-  
11 owned business enterprises or women-owned business enterprises;  
12 and

13 (3) The diversity plan describes strategies that the applicant  
14 will use to achieve the goals established in the diversity plan, which  
15 may include, without limitation, the participation of the production  
16 company in programs of training, education and recruitment that are  
17 organized in cooperation with public colleges and universities in this  
18 State, labor organizations and the motion picture industry and that  
19 are designed to promote and encourage the training and hiring of  
20 residents of this State who represent the diversity of the population  
21 of this State; and

22 (4) The diversity plan indicates actions that the production  
23 company will take to ensure equal opportunities for minority  
24 persons and women in recruitment, selection, appointment,  
25 promotion, training and other related aspects of employment, which  
26 may include, without limitation, advertising, recruitment and  
27 opportunities for internships;

28 (f) Not later than 270 days after the completion of principal  
29 photography of the qualified production or, if any direct production  
30 expenditures for postproduction will be incurred in this State, not  
31 later than 270 days after the completion of postproduction, unless  
32 the Office agrees to extend this period by not more than 90 days,  
33 provide the Office with:

34 (1) A report on the extent to which the applicant has met the  
35 diversity goals established in the diversity plan described in  
36 paragraph (e); and

37 (2) An audit of the qualified production that is performed by  
38 an independent certified public accountant in this State who is  
39 approved by the Office and that includes an itemized report of  
40 qualified direct production expenditures and that shows that the  
41 qualified production satisfied the requirements of paragraph (d);

42 (g) Pay the cost of the audit required by subparagraph (2) of  
43 paragraph (f);

44 (h) Enter into a written agreement with the Office that requires  
45 the production company, except when prohibited by law or when the



1 qualified production for which film infrastructure transferable tax  
2 credits are issued is not distributed, to include:

3 (1) An on-screen acknowledgment of the State of Nevada  
4 and the Nevada Studios Project, the language of which may be  
5 chosen by the applicant if the language is approved by the Office; or

6 (2) If the qualified production does not have end screen  
7 credits, an acknowledgment of the State of Nevada and the Nevada  
8 Studios Project, which is approved by the Office and the production  
9 company, in the final version of the qualified production; and

10 (i) Enter into an agreement with the Office that requires the  
11 production company to provide to each loan-out company engaged  
12 by the production company to provide services in this State in  
13 connection with the qualified production a notice stating:

14 (1) That this State imposes a tax pursuant to chapters 363A  
15 and 363B of NRS on the wages paid by certain employers and a  
16 commerce tax pursuant to chapter 363C of NRS on business entities  
17 engaging in business in this State; and

18 (2) Instructions for obtaining additional information from the  
19 Department of Taxation regarding the imposition, collection and  
20 remittance of those taxes.

21 4. An application submitted pursuant to subsection 3 must  
22 contain:

23 (a) A script, storyboard or synopsis of the qualified production;

24 (b) The names of the production company and, if known, the  
25 proposed producer, director and cast;

26 (c) An estimated timeline to complete the qualified production;

27 (d) A summary of the budgeted expenditures for the entire  
28 production, including projected expenditures to be incurred outside  
29 of Nevada, for the period beginning not earlier than 90 days before  
30 the submission of the application through the completion of  
31 postproduction;

32 (e) Details regarding the financing of the qualified production,  
33 including, without limitation, any information relating to a binding  
34 financing commitment, loan application, commitment letter or  
35 investment letter;

36 (f) An acknowledgment that the application and any  
37 documentation submitted to the Office in relation to the application  
38 are public records unless the Office approves a request submitted by  
39 the production company pursuant to NRS 231.069 to keep  
40 confidential the application and any information submitted in  
41 relation to the application;

42 (g) An affirmation that, before beginning the production of the  
43 qualified production, the production company will obtain a policy of  
44 general liability insurance in an amount of at least \$1,000,000 and  
45 will provide satisfactory proof of such a policy to the Office;



- 1 (h) The business address of the production company;
- 2 (i) The diversity plan of the production company, which must be  
3 submitted to the Office not later than 14 days before the  
4 commencement of principal photography in this State, unless  
5 otherwise approved in writing by the Office;
- 6 (j) The written approval of the lead participant for the  
7 production company to be issued film infrastructure transferable tax  
8 credits for the qualified production for which the application is  
9 submitted;
- 10 (k) Proof that the qualified production meets any applicable  
11 requirements relating to workers' compensation insurance before  
12 beginning production of the qualified production; and
- 13 (l) Proof that the production company has secured all licenses  
14 and registrations required to do business in each location in this  
15 State at which the qualified production will be produced.

16 5. If the Office approves an application for a certificate of  
17 eligibility for film infrastructure transferable tax credits pursuant to  
18 this section, the Office shall immediately forward a copy of the  
19 certificate of eligibility which identifies the estimated amount of tax  
20 credits available pursuant to section 14 of this act to:

- 21 (a) The applicant;
- 22 (b) The lead participant;
- 23 (c) The Department of Taxation; and
- 24 (d) The Nevada Gaming Control Board.

25 6. Within 45 business days after receipt of an audit provided by  
26 a production company pursuant to subparagraph (2) of paragraph (f)  
27 of subsection 3 and any other accountings or other information  
28 required by the Office, the Office shall determine whether to certify  
29 the audit and make a final determination of whether a certificate of  
30 film infrastructure transferable tax credits will be issued. If the  
31 Office certifies the audit, determines that all other requirements for  
32 the film infrastructure transferable tax credits have been met and  
33 determines that a certificate of film infrastructure transferable tax  
34 credits will be issued, the Office shall notify the production  
35 company that the film infrastructure transferable tax credits will be  
36 issued. Within 30 days after the receipt of the notice, the production  
37 company shall make an irrevocable declaration of the amount of  
38 film infrastructure transferable tax credits that will be applied to  
39 each fee or tax set forth in subsection 1, thereby accounting for all  
40 of the credits which will be issued. Upon receipt of the declaration,  
41 the Office shall issue to the production company a certificate of film  
42 infrastructure transferable tax credits in the amount approved by  
43 the Office for the fees or taxes included in the declaration of the  
44 production company. The production company shall notify the  
45 Office upon transferring any of the film infrastructure transferable



1 tax credits. The Office shall notify the Department of Taxation and  
2 the Nevada Gaming Control Board of all film infrastructure  
3 transferable tax credits issued, segregated by each fee or tax set  
4 forth in subsection 1, and the amount of any film infrastructure  
5 transferable tax credits transferred.

6 7. Within 30 days after the issuance of a certificate of film  
7 infrastructure transferable tax credits pursuant to subsection 6, the  
8 production company shall pay to the Office an amount of money  
9 equal to 10 percent of the amount of film infrastructure transferable  
10 tax credits issued to the production company pursuant to subsection  
11 6. The Office shall deposit any money received pursuant to this  
12 subsection with the State Treasurer for credit to the Account for  
13 Nevada Film, Media and Related Technology Education and  
14 Vocational Training created by section 30 of this act. A payment  
15 made pursuant to this subsection shall be deemed to be a payment  
16 made from film infrastructure transferable tax credits which would  
17 have been authorized and approved for the production company if a  
18 payment pursuant to this subsection were not required.

19 8. An applicant for film infrastructure transferable tax credits  
20 pursuant to this section shall, upon the request of the Executive  
21 Director of the Office, furnish the Executive Director with copies of  
22 all records necessary to verify that the applicant meets the  
23 requirements of subsection 3.

24 9. The Office:

25 (a) Shall adopt regulations prescribing:

26 (1) Any additional qualified expenditures or production costs  
27 that may serve as the basis for film infrastructure transferable tax  
28 credits pursuant to section 13 of this act;

29 (2) The application review process;

30 (3) That a qualified production for which records are  
31 required to be maintained by 18 U.S.C. § 2257, with respect to any  
32 performer in such qualified production engaging in sexually explicit  
33 conduct, is not eligible for film infrastructure transferable tax  
34 credits;

35 (4) The requirements for providing notice pursuant to section  
36 16 of this act that information is incomplete; and

37 (5) Any necessary provisions to ensure compliance with the  
38 requirements of paragraph (e) of subsection 3 relating to diversity  
39 plans and that are necessary to require that the diversity plan of an  
40 applicant reflects the racial and gender diversity of this State.

41 (b) May adopt any other regulations that are necessary to ensure  
42 that the provisions of sections 1 to 18, inclusive, of this act are  
43 carried out in a manner that is reasonable and customary within the  
44 industry for the production of qualified productions.



1 10. The Nevada Tax Commission and the Nevada Gaming  
2 Commission:

3 (a) Shall adopt regulations prescribing the manner in which film  
4 infrastructure transferable tax credits will be administered.

5 (b) May adopt any other regulations that are necessary to carry  
6 out the provisions of sections 1 to 18, inclusive, of this act.

7 **Sec. 13.** 1. Qualified direct production expenditures must be  
8 for purchases, rentals or leases of tangible personal property or  
9 services from a Nevada business during the period in which a  
10 qualified production is produced, must be customary and reasonable  
11 and must relate to:

12 (a) Set construction and operation;

13 (b) Wardrobe and makeup;

14 (c) Photography, sound and lighting;

15 (d) Filming, film processing and film editing;

16 (e) The rental or leasing of facilities, locations, equipment and  
17 vehicles;

18 (f) Food, lodging and transportation, including, without  
19 limitation, airfares for flights to or from this State that are purchased  
20 through a Nevada business;

21 (g) Editing, sound mixing, special effects, visual effects and  
22 other postproduction services;

23 (h) The payroll for Nevada residents or other personnel who  
24 provided services in this State, whether as above-the-line personnel  
25 or below-the-line personnel, including, without limitation, wages,  
26 fringe benefits and living expenses paid in connection with services  
27 rendered in this State;

28 (i) Payments for goods or services provided by a Nevada  
29 business or the lead supplier;

30 (j) The design, construction, improvement or repair of property,  
31 infrastructure, equipment or a production or postproduction facility;

32 (k) Charges for services that are necessary to complete a sale,  
33 lease or rental of any tangible personal property described in this  
34 subsection, to the extent not included as part of another cost  
35 reported pursuant to this section;

36 (l) State and local government taxes to the extent not included as  
37 part of another cost reported pursuant to this section; and

38 (m) Any other transaction, service or activity authorized in  
39 regulations adopted by the Office pursuant to section 12 of this act.

40 2. In addition to the qualified direct production expenditures  
41 listed in subsection 1, payments to a qualified entity for services  
42 performed in Nevada by a qualified individual are qualified direct  
43 production expenditures.

44 3. Expenditures and costs:

45 (a) Related to:



1 (1) The acquisition, transfer or use of film infrastructure  
2 transferable tax credits;

3 (2) Marketing and distribution;

4 (3) Financing, depreciation and amortization;

5 (4) The payment of any profits as a result of the qualified  
6 production;

7 (5) The payment for the cost of the audit required by  
8 subparagraph (2) of paragraph (f) of section 12 of this act; and

9 (6) The payment for any goods or services that are not  
10 directly attributable to the qualified production;

11 (b) For which reimbursement is received, or for which  
12 reimbursement is reasonably expected to be received;

13 (c) Which are paid to a joint venturer or a parent, subsidiary or  
14 other affiliate of the production company, unless the amount paid  
15 represents the fair market value of the purchase, rental or lease of  
16 the property or services for which payment is made, which may be  
17 established by considering the amount paid for the purchase, rental  
18 or lease of comparable property or services from the joint venturer,  
19 parent, subsidiary or other affiliate by a person, other than the  
20 production company, in another state or country;

21 (d) Which are paid to another person for the purpose of  
22 subcontracting or passing through any purchase, rental or lease of  
23 tangible personal property or services used or consumed for the  
24 qualified production; or

25 (e) Which have been previously claimed as a basis for film  
26 infrastructure transferable tax credits or noninfrastructure  
27 transferable tax credits,

28 ➔ are not qualified direct production expenditures and are not  
29 eligible to serve as a basis for film infrastructure transferable tax  
30 credits issued pursuant to section 12 of this act.

31 4. If any tangible personal property is acquired by a Nevada  
32 business, other than the lead supplier, from a vendor outside this  
33 State for immediate resale, rental or lease to a production company  
34 that produces a qualified production, expenditures incurred by the  
35 production company for the purchase, rental or lease of the property  
36 are qualified direct production expenditures if:

37 (a) The Nevada business regularly deals in property of that kind;  
38 and

39 (b) The expenditures are otherwise qualified direct production  
40 expenditures under the provisions of this section.

41 5. If any tangible personal property is acquired by the  
42 production company as an asset, the calculation of the costs of the  
43 tangible personal property that constitute a qualified direct  
44 production expenditure must be performed in the manner prescribed  
45 by the Office by regulation.



1 6. As used in this section:

2 (a) "Fringe benefits" means employee expenses paid by an  
3 employer for the use of a person's services, including, without  
4 limitation, payments made to a governmental entity, union dues,  
5 health insurance premiums, payments to a pension plan and  
6 payments for workers' compensation insurance.

7 (b) "Nevada business" means a business that is registered with  
8 the Secretary of State to do business in this State and has an ongoing  
9 physical presence in this State, which must be evidenced by a  
10 business address in the name of the business that is located in this  
11 State and that is not a post office box.

12 (c) "Qualified entity" means a payroll services corporation or  
13 loan-out company:

14 (1) That is a corporation organized pursuant to chapter 78 of  
15 NRS, a foreign corporation required to file an initial or annual list  
16 with the Secretary of State pursuant to chapter 80 of NRS, a limited-  
17 liability company organized pursuant to chapter 86 of NRS or a  
18 foreign limited-liability company registered with the Secretary of  
19 State pursuant to chapter 86 of NRS;

20 (2) That receives payment for services performed by a  
21 qualified individual who would otherwise be directly employed by  
22 the production company producing a qualified production; and

23 (3) Of which at least 50 percent of the ownership interest is  
24 owned directly or indirectly by the qualified individual performing  
25 services for the qualified production.

26 (d) "Qualified individual" means a natural person who performs  
27 services during the production period in an activity related to the  
28 production of a qualified production, including, without limitation,  
29 the preproduction, production and postproduction phases of the  
30 production of a qualified production. The term does not include:

31 (1) A natural person related, in any manner set forth in 26  
32 U.S.C. § 51(i)(1)(A), (B) or (C), to the production company or an  
33 employee of the production company; or

34 (2) Any 5-percent owner, as defined in 26 U.S.C. §  
35 416(i)(1)(B)(i), of the production company.

36 **Sec. 14.** 1. Except as otherwise provided in subsections 2  
37 and 4 and section 15 of this act, the base amount of film  
38 infrastructure transferable tax credits issued to an eligible  
39 production company pursuant to section 12 of this act must equal:

40 (a) Thirty-five percent of the qualified direct production  
41 expenditures paid to Nevada residents in connection with services  
42 rendered in this State, including, without limitation, fringe benefits,  
43 as defined in section 13 of this act, and handling fees paid to such  
44 persons.



1 (b) Thirty percent of the qualified direct production expenditures  
2 other than the qualified direct production expenditures described in  
3 paragraph (a).

4 2. Except as otherwise provided in subsections 3 and 4 and  
5 section 15 of this act, for an application for a certificate of eligibility  
6 for film infrastructure transferable tax credits approved by the  
7 Office:

8 (a) Not less than 60 months, but less than 85 months, after the  
9 date on which the development agreement was executed pursuant to  
10 section 10 of this act, the base amount of film infrastructure  
11 transferable tax credits calculated pursuant to subsection 1 must be  
12 reduced by 5 percent of the amount of film infrastructure  
13 transferable tax credits that would otherwise be issued, if less than  
14 40 percent of the below-the-line personnel of the qualified  
15 production are Nevada residents.

16 (b) Eighty-five months or more after the date on which the  
17 development agreement was executed pursuant to section 10 of this  
18 act, the base amount of film infrastructure transferable tax credits  
19 calculated pursuant to subsection 1 must be reduced by 10 percent  
20 of the amount of film infrastructure transferable tax credits that  
21 would otherwise be issued, if less than 60 percent of the below-the-  
22 line personnel of the qualified production are Nevada residents.

23 ↪ A reduction in the amount of film infrastructure transferable tax  
24 credits pursuant to this subsection must not reduce the amount of  
25 money paid pursuant to subsection 7 of section 12 of this act to the  
26 Account for Nevada Film, Media and Related Technology  
27 Education and Vocational Training created by section 30 of this act.

28 3. For the purposes of subsection 2:

29 (a) Except as otherwise provided in paragraph (b), the  
30 percentage of the below-the-line personnel who are Nevada  
31 residents must be determined by dividing the number of workdays  
32 worked by Nevada residents by the number of workdays worked by  
33 all below-the-line personnel.

34 (b) Any work performed by an extra must not be considered in  
35 determining the percentage of the below-the-line personnel who are  
36 Nevada residents.

37 4. The Office may:

38 (a) Reduce the cumulative amount of film infrastructure  
39 transferable tax credits that are calculated pursuant to this section by  
40 an amount equal to any damages incurred by the State or any  
41 political subdivision of the State as a result of a qualified production  
42 that is produced in this State; or

43 (b) Withhold the film infrastructure transferable tax credits, in  
44 whole or in part:





1 (1) Until any pending legal action in this State against a  
2 production company or involving a qualified production is resolved.

3 (2) If a production company violates any state or local law.

4 (3) If a production company is found to have knowingly  
5 submitted any false statement, representation or certification in any  
6 document submitted for the purpose of obtaining film infrastructure  
7 transferable tax credits.

8 5. For an employee to be considered a resident of Nevada for  
9 the purposes of this section, the production company must maintain  
10 the following documents in the personnel file of the employee:

11 (a) A statement signed by the employee that the employee:

12 (1) Was a bona-fide resident of this State for at least 120  
13 days before the commencement of the period during which the  
14 employee renders services for the production of the qualified  
15 production; and

16 (2) Has been a bona-fide resident of this State continuously  
17 throughout the period during which the employee renders services  
18 for the production of the qualified production;

19 (b) A copy of the current and valid Nevada driver's license of  
20 the employee or a current and valid identification card for the  
21 employee issued by the Department of Motor Vehicles and, if  
22 applicable, a copy of the most recently expired Nevada driver's  
23 license of the employee or the most recently expired identification  
24 card for the employee issued by the Department of Motor Vehicles;  
25 and

26 (c) A copy of a utility bill containing the name of the employee  
27 or a copy of a voter registration card issued to the employee.

28 ➔ The production company shall maintain the documentation  
29 required by this subsection in the personnel file of the employee  
30 until the Office makes a final determination concerning the issuance  
31 of film infrastructure transferable tax credits for the qualified  
32 production on which the employee rendered services and shall, upon  
33 request, make the documentation available to the Office or any  
34 person performing the audit of the qualified production as required  
35 by subparagraph (2) of paragraph (f) of subsection 3 of section 12 of  
36 this act.

37 **Sec. 15.** 1. Except as otherwise provided in this section, the  
38 Executive Director of the Office shall not approve any application  
39 for film infrastructure transferable tax credits submitted pursuant to  
40 section 12 of this act if:

41 (a) Approval of the application would cause the total amount of  
42 film infrastructure transferable tax credits approved pursuant to  
43 section 12 of this act:

44 (1) To exceed \$48,000,000 during the first 12-month period  
45 of the development period.



1 (2) To exceed \$48,000,000 during the second 12-month  
2 period of the development period.

3 (3) To exceed \$63,000,000 during the third 12-month period  
4 of the development period.

5 (4) To exceed \$58,100,000 for each fiscal year commencing  
6 after:

7 (I) The end of the development period; and

8 (II) The lead participant has made the capital investment  
9 required pursuant to subparagraph (1) of paragraph (a) of subsection  
10 1 of section 10 of this act but before the lead participant has made  
11 the capital investment required pursuant to subparagraph (2) of  
12 paragraph (a) of subsection 1 of section 10 of this act.

13 (5) To exceed \$83,000,000 for each fiscal year commencing  
14 after:

15 (I) The end of the development period; and

16 (II) The lead participant has made the capital investment  
17 required pursuant to subparagraph (2) of paragraph (a) of subsection  
18 1 of section 10 of this act.

19 (b) The application is submitted by a production company in a  
20 fiscal year that begins more than 15 years after the Nevada Studios  
21 Project receives its first certificate of occupancy.

22 2. If a production company satisfies all requirements for the  
23 approval of an application for film infrastructure transferable tax  
24 credits and the approval of the application would cause the total  
25 amount of film infrastructure transferable tax credits approved  
26 during the current fiscal year to exceed the amount authorized to be  
27 approved for the current fiscal year, the Executive Director of the  
28 Office shall approve the application and reduce the amount of film  
29 infrastructure transferable tax credits authorized to be approved  
30 pursuant to subsection 1 in the next fiscal year by the amount of film  
31 infrastructure transferable tax credits approved during the current  
32 fiscal year in excess of the amount authorized to be approved during  
33 the current fiscal year. Any film infrastructure transferable tax  
34 credits approved during the development period in excess of the  
35 amount authorized by subsection 1 to be approved during the  
36 development period may not be taken against any allowable fee or  
37 tax before the first fiscal year after the end of the development  
38 period.

39 3. Except as otherwise provided in paragraph (b) of subsection  
40 1, 50 percent of the amount of film infrastructure transferable tax  
41 credits authorized for the development period and any fiscal year  
42 beginning after the end of the development period that are not  
43 approved for the development period or the fiscal year, as  
44 applicable, may be carried forward and made available for approval:



1 (a) If the credits being carried forward are authorized to be  
2 approved during the development period, for the first fiscal year  
3 beginning after the end of the development period.

4 (b) If the credits being carried forward are authorized to be  
5 approved for a fiscal year beginning after the end of the  
6 development period, for the next fiscal year.

7 ↪ For any fiscal year to which film infrastructure transferable tax  
8 credits are carried forward from the immediately preceding fiscal  
9 year pursuant to this subsection, the film infrastructure transferable  
10 tax credits that have been carried forward must be deemed to be the  
11 first film infrastructure transferable tax credits issued until the total  
12 amount of film infrastructure transferable tax credits from the  
13 immediately preceding fiscal year have been issued.

14 4. If the Executive Director of the Office approves an  
15 application for a certificate of eligibility pursuant to section 12 of  
16 this act, the amount of any film infrastructure transferable tax credits  
17 that:

18 (a) For any reason, are not issued to the production company  
19 that submitted the application must be considered to be unused and  
20 available to be used or carried forward in the manner set forth in this  
21 section.

22 (b) Are issued but unused, as evidenced by the return to the  
23 Office of the certificate of film infrastructure transferable tax  
24 credits, must be considered to be unused and available to be used or  
25 carried forward in the manner set forth in this section.

26 5. Film infrastructure transferable tax credits issued to a  
27 production company for a qualified production pursuant to section  
28 12 of this act expire at the end of the fiscal year that is 7 years after  
29 the date on which the film infrastructure transferable tax credits are  
30 issued to the production company.

31 6. For the purposes of this section, the “development period” is  
32 the period beginning on the date on which the Office and the lead  
33 participant execute a development agreement pursuant to section 10  
34 of this act and ending 36 months after that date.

35 **Sec. 16.** 1. Except as otherwise provided in sections 3 to 18,  
36 inclusive, of this act, the Executive Director of the Office shall  
37 approve an application for film infrastructure transferable tax credits  
38 submitted pursuant to section 12 of this act if the Executive Director  
39 determines that the applicant satisfies the criteria for the issuance of  
40 film infrastructure transferable tax credits.

41 2. A production company that produces a qualified production  
42 shall submit the audit required by subparagraph (2) of paragraph (f)  
43 of subsection 3 of section 12 of this act and all other required  
44 information to the Office and the Department of Taxation within the  
45 time required by paragraph (f) of subsection 3 of section 12 of this



1 act. If the Office or the Department determines that information  
2 submitted pursuant to this subsection is incomplete, the production  
3 company shall, not later than 30 days after receiving notice that the  
4 information is incomplete, provide to the Office or the Department,  
5 as applicable, all additional information required by the Office or  
6 the Department.

7 **Sec. 17.** 1. A production company that is found to have  
8 knowingly submitted any false statement, representation or  
9 certification in any document submitted for the purpose of obtaining  
10 film infrastructure transferable tax credits or who otherwise  
11 becomes ineligible for film infrastructure transferable tax credits  
12 after receiving the film infrastructure transferable tax credits  
13 pursuant to section 12 of this act shall repay to the Department of  
14 Taxation or the Nevada Gaming Control Board, as applicable, any  
15 portion of the film infrastructure transferable tax credits to which  
16 the production company is not entitled.

17 2. Film infrastructure transferable tax credits purchased in  
18 good faith are not subject to forfeiture or repayment by the  
19 transferee unless the transferee submitted fraudulent information in  
20 connection with the purchase.

21 **Sec. 18.** The Office shall, on or before October 1 of each year,  
22 prepare and submit to the Governor and to the Director of the  
23 Legislative Counsel Bureau for transmittal to the Legislature an  
24 annual report which includes, for the immediately preceding fiscal  
25 year:

26 1. The number of applications submitted for film infrastructure  
27 transferable tax credits pursuant to section 12 of this act;

28 2. The number of qualified productions for which film  
29 infrastructure transferable tax credits were approved;

30 3. The amount of film infrastructure transferable tax credits  
31 approved;

32 4. The amount of film infrastructure transferable tax credits  
33 used;

34 5. The amount of film infrastructure transferable tax credits  
35 transferred;

36 6. The amount of film infrastructure transferable tax credits  
37 taken against each allowable fee or tax, including the actual amount  
38 used and outstanding, in total and for each qualified production;

39 7. The total amount of the qualified direct production  
40 expenditures incurred by each qualified production and the portion  
41 of those expenditures that were incurred in Nevada;

42 8. The number of persons in Nevada employed by each  
43 qualified production, the amount of wages paid to those persons and  
44 any demographic information concerning those persons that has  
45 been voluntarily provided by those persons;



1 9. The period during which each qualified production was in  
2 Nevada and employed persons in Nevada;

3 10. The number of qualified productions produced by persons  
4 affiliated with the Nevada Studios Project and the number of  
5 qualified productions that were produced by persons not affiliated  
6 with the Project;

7 11. Demographic information concerning persons who  
8 participate in a program of vocational training and education offered  
9 at the Nevada Media and Technology Lab that is voluntarily  
10 provided by those persons; and

11 12. Recommendations for improving the operation of the  
12 program for the issuance of film infrastructure transferable tax  
13 credits, including, without limitation, methods to promote and  
14 encourage the development and establishment of production  
15 companies in this State that are either affiliated with the Nevada  
16 Studios Project or not affiliated with the Project.

17 **Sec. 19.** NRS 360.7586 is hereby amended to read as follows:

18 360.7586 1. "Qualified production" includes preproduction,  
19 production and postproduction and means:

20 (a) A theatrical, direct-to-video or other media motion picture.

21 (b) A made-for-television motion picture.

22 (c) Visual effects or digital animation sequences.

23 (d) A television pilot program.

24 (e) A television, Internet or other media series, including,  
25 without limitation, a comedy, drama, miniseries, soap opera, talk  
26 show, game show or telenovela, or an episode of such a series.

27 (f) A reality show.

28 (g) A national or regional commercial or series of commercials.

29 (h) An infomercial.

30 (i) A music video.

31 (j) A documentary film or series.

32 (k) Other visual media productions, including, without  
33 limitation, *digital media*, video games and mobile applications.

34 2. The term does not include:

35 (a) A news, weather or current events program.

36 (b) A production that is primarily produced for industrial,  
37 corporate or institutional use.

38 (c) A telethon or any production that solicits money, other than a  
39 production which is produced for national distribution.

40 (d) A political advertisement.

41 (e) A sporting event, including, without limitation, a sportscast,  
42 preshow, postshow or sports newscast related to a sporting event. A  
43 qualified production described by subsection 1 shall not be deemed  
44 a sporting event for the purposes of this paragraph for the sole  
45 reason that it features athletes or relates to sports.



1 (f) A gala, pageant or awards show.

2 (g) *Any type of media production created solely for the purpose*  
3 *of posting the production on social media.*

4 (h) Any other type of production that is excluded by regulations  
5 adopted by the Office of Economic Development pursuant to  
6 NRS 360.759.

7 **Sec. 20.** NRS 360.759 is hereby amended to read as follows:

8 360.759 1. A production company that produces a qualified  
9 production in this State in whole or in part may apply to the Office  
10 of Economic Development for a certificate of eligibility for  
11 *noninfrastructure* transferable tax credits for any qualified direct  
12 production expenditures. The *noninfrastructure* transferable tax  
13 credits may be applied to:

14 (a) Any tax imposed by chapters 363A and 363B of NRS;

15 (b) The gaming license fees imposed by the provisions of  
16 NRS 463.370;

17 (c) Any tax imposed pursuant to chapter 680B of NRS; or

18 (d) Any combination of the fees and taxes described in  
19 paragraphs (a), (b) and (c).

20 2. The Office may approve an application for a certificate of  
21 eligibility for *noninfrastructure* transferable tax credits if the Office  
22 finds that the production company producing the qualified  
23 production qualifies for the *noninfrastructure* transferable tax  
24 credits pursuant to subsection 3. If the Office approves the  
25 application, the Office shall calculate the estimated amount of the  
26 *noninfrastructure* transferable tax credits pursuant to NRS  
27 360.7592, 360.7593 and 360.7594.

28 3. To be eligible for *noninfrastructure* transferable tax credits  
29 pursuant to this section, a production company must:

30 (a) Submit an application that meets the requirements of  
31 subsection 4;

32 (b) Provide ~~[proof satisfactory to the Office that the qualified~~  
33 ~~production is in the economic interest of the State;~~

34 ~~—(c) Provide]~~ proof ~~[satisfactory]~~ to the Office that 70 percent or  
35 more of the funding for the qualified production has been obtained;

36 ~~[(d)]~~ (c) Provide proof ~~[satisfactory]~~ to the Office that at least  
37 60 percent of the direct production expenditures for:

38 (1) Preproduction;

39 (2) Production; and

40 (3) If any direct production expenditures for postproduction  
41 will be incurred in this State, postproduction,

42 ↪ of the qualified production will be incurred in this State as  
43 qualified direct production expenditures;

44 ~~[(e)]~~ (d) Not later than 270 days after the completion of  
45 principal photography of the qualified production or, if any direct



1 production expenditures for postproduction will be incurred in this  
2 State, not later than 270 days after the completion of postproduction,  
3 unless the Office agrees to extend this period by not more than 90  
4 days, provide the Office with an audit of the qualified production  
5 that includes an itemized report of qualified direct production  
6 expenditures which:

7 (1) Shows that the qualified production incurred qualified  
8 direct production expenditures of \$500,000 or more; and

9 (2) Is certified by an independent certified public accountant  
10 in this State who is approved by the Office;

11 ~~[(e)]~~ (e) Pay the cost of the audit required by paragraph ~~[(e)];~~  
12 (d); and

13 ~~[(g)]~~ (f) Enter into a written agreement with the Office that  
14 requires the production company to include:

15 (1) In the end screen credits of the qualified production ~~[(a)]~~ :  
16 (I) A logo of this State provided by the Office which  
17 indicates that the qualified production was filmed or otherwise  
18 produced in Nevada; and

19 (II) *If the qualified production was produced at the*  
20 *Nevada Studios Project, an acknowledgment of the Project;* or

21 (2) If the qualified production does not have end screen  
22 credits, another acknowledgment in the final version of the qualified  
23 production which indicates that the qualified production was  
24 ~~[(filmed)]~~ :

25 (I) *Filmed* or otherwise produced in Nevada; and  
26 ~~[(h) Meet any other requirements prescribed by regulation~~  
27 ~~pursuant to this section.]~~

28 (II) *Produced at the Nevada Studios Project, if*  
29 *applicable.*

30 4. An application submitted pursuant to subsection 3 must  
31 contain:

32 (a) A script, storyboard or synopsis of the qualified production;

33 (b) The names of the production company, producer, director  
34 and proposed cast;

35 (c) An estimated timeline to complete the qualified production;

36 (d) A summary of the budgeted expenditures for the entire  
37 production, including projected expenditures to be incurred outside  
38 of Nevada;

39 (e) Details regarding the financing of the project, including,  
40 without limitation, any information relating to a binding financing  
41 commitment, loan application, commitment letter or investment  
42 letter;

43 (f) An insurance certificate, binder or quote for general liability  
44 insurance of \$1,000,000 or more;

45 (g) The business address of the production company;



1 (h) Proof that the qualified production meets any applicable  
2 requirements relating to workers' compensation insurance; *and*

3 (i) Proof that the production company has secured all licenses  
4 and registrations required to do business in each location in this  
5 State at which the qualified production will be produced . ~~}; and~~

6 ~~— (j) Any other information required by regulations adopted by the~~  
7 ~~Office pursuant to subsection 8.]~~

8 5. If the Office approves an application for a certificate of  
9 eligibility for *noninfrastructure* transferable tax credits pursuant to  
10 this section, the Office shall immediately forward a copy of the  
11 certificate of eligibility which identifies the estimated amount of the  
12 tax credits available pursuant to NRS 360.7592 to:

13 (a) The applicant;

14 (b) The Department; and

15 (c) The Nevada Gaming Control Board.

16 6. Within 60 business days after receipt of an audit provided by  
17 a production company pursuant to paragraph ~~{(e)}~~ (d) of subsection  
18 3 and any other accountings or other information required by the  
19 Office, the Office shall determine whether to certify the audit and  
20 make a final determination of whether a certificate of  
21 *noninfrastructure* transferable tax credits will be issued. If the  
22 Office certifies the audit, determines that all other requirements for  
23 the *noninfrastructure* transferable tax credits have been met and  
24 determines that a certificate of *noninfrastructure* transferable tax  
25 credits will be issued, the Office shall notify the production  
26 company that the *noninfrastructure* transferable tax credits will be  
27 issued. Within 30 days after the receipt of the notice, the production  
28 company shall make an irrevocable declaration of the amount of  
29 *noninfrastructure* transferable tax credits that will be applied to  
30 each fee or tax set forth in subsection 1, thereby accounting for all  
31 of the credits which will be issued. Upon receipt of the declaration,  
32 the Office shall issue to the production company a certificate of  
33 *noninfrastructure* transferable tax credits in the amount approved  
34 by the Office for the fees or taxes included in the declaration of the  
35 production company. The production company shall notify the  
36 Office upon transferring any of the *noninfrastructure* transferable  
37 tax credits. The Office shall notify the Department and the Nevada  
38 Gaming Control Board of all *noninfrastructure* transferable tax  
39 credits issued, segregated by each fee or tax set forth in subsection  
40 1, and the amount of any *noninfrastructure* transferable tax credits  
41 transferred.

42 7. *Within 30 days after the issuance of a certificate of*  
43 *noninfrastructure transferable tax credits pursuant to subsection*  
44 *6, if the application for the noninfrastructure transferable tax*  
45 *credits was submitted on or after July 1, 2025, and before July 1,*





1 *2043, the production company shall pay to the Office an amount*  
2 *of money equal to 10 percent of the amount of noninfrastructure*  
3 *transferable tax credits issued to the production company*  
4 *pursuant to subsection 6. The Office shall deposit any money*  
5 *received pursuant to this subsection with the State Treasurer for*  
6 *credit to the Account for Nevada Film, Media and Related*  
7 *Technology Education and Vocational Training created by section*  
8 *30 of this act. A payment made pursuant to this subsection shall be*  
9 *deemed to be a payment made from noninfrastructure transferable*  
10 *tax credits which would have been authorized and approved for*  
11 *the production company if a payment pursuant to this subsection*  
12 *were not required.*

13 8. An applicant for *noninfrastructure* transferable tax credits  
14 pursuant to this section shall, upon the request of the Executive  
15 Director of the Office, furnish the Executive Director with copies of  
16 all records necessary to verify that the applicant meets the  
17 requirements of subsection 3.

18 ~~[8.]~~ 9. The Office:

19 (a) Shall adopt regulations prescribing:

20 (1) ~~[Any additional requirements to receive transferable tax~~  
21 ~~credits;~~

22 ~~—(2)]~~ Any additional qualified expenditures or production  
23 costs that may serve as the basis for *noninfrastructure* transferable  
24 tax credits pursuant to NRS 360.7591;

25 ~~[(3) Any additional information that must be included with~~  
26 ~~an application pursuant to subsection 4;~~

27 ~~—(4)]~~ (2) The application review process;

28 ~~[(5) Any type of]~~

29 (3) ~~That a~~ qualified production ~~[which, due to obscene or~~  
30 ~~sexually explicit material,]~~ *for which records are required to be*  
31 *maintained by 18 U.S.C. § 2257, with respect to any performer in*  
32 *such qualified production engaging in sexually explicit conduct,* is  
33 not eligible for *noninfrastructure* transferable tax credits; and

34 ~~[(6)]~~ (4) The requirements for notice pursuant to NRS  
35 360.7595; and

36 (b) May adopt any other regulations that are necessary to ~~[carry~~  
37 ~~out]~~ *ensure that* the provisions of NRS 360.758 to 360.7598,  
38 inclusive ~~[~~

39 ~~—9.]~~ *, are carried out in a manner that is reasonable and*  
40 *customary within the industry for the production of qualified*  
41 *productions.*

42 10. The Nevada Tax Commission and the Nevada Gaming  
43 Commission:

44 (a) Shall adopt regulations prescribing the manner in which  
45 *noninfrastructure* transferable tax credits will be administered.



1 (b) May adopt any other regulations that are necessary to carry  
2 out the provisions of NRS 360.758 to 360.7598, inclusive.

3 *11. As used in this section, "Nevada Studios Project" has the*  
4 *meaning ascribed to it in section 8 of this act.*

5 **Sec. 21.** NRS 360.7592 is hereby amended to read as follows:

6 360.7592 1. Except as otherwise provided in subsection ~~[4] 5~~  
7 and NRS 360.7593 and 360.7594, the base amount of  
8 *noninfrastructure* transferable tax credits issued to an eligible  
9 production company pursuant to NRS 360.759 :

10 (a) *For an eligible production company that submitted the*  
11 *application for the certificate of eligibility for the*  
12 *noninfrastructure transferable tax credits before July 1, 2025, or*  
13 *on or after July 1, 2043,* must equal 15 percent of the qualified  
14 direct production expenditures.

15 (b) *For an eligible production company that submitted the*  
16 *application for the certificate of eligibility for the*  
17 *noninfrastructure transferable tax credits on or after July 1, 2025,*  
18 *and before July 1, 2043, must equal:*

19 (1) *Thirty-five percent of the qualified direct production*  
20 *expenditures paid to Nevada residents in connection with services*  
21 *rendered in this State, including, without limitation, fringe*  
22 *benefits, as defined in NRS 360.7593, and handling fees paid to*  
23 *such persons.*

24 (2) *Thirty percent of the qualified direct production*  
25 *expenditures other than the qualified direct production*  
26 *expenditures described in subparagraph (1).*

27 2. Except as otherwise provided in subsections ~~[3] 4~~ and ~~[4] 5~~  
28 and NRS 360.7594, *if the eligible production company submitted*  
29 *the application for the certificate of eligibility for*  
30 *noninfrastructure transferable tax credits pursuant to NRS*  
31 *360.759 before July 1, 2025, or on or after July 1, 2043,* in addition  
32 to the base amount calculated pursuant to *paragraph (a) of*  
33 subsection 1, *noninfrastructure* transferable tax credits issued to an  
34 eligible production company ~~[pursuant to NRS 360.759]~~ must  
35 include credits in an amount equal to:

36 (a) An additional 5 percent of the qualified direct production  
37 expenditures if more than 50 percent of the below-the-line personnel  
38 of the qualified production are Nevada residents; and

39 (b) An additional 5 percent of the qualified direct production  
40 expenditures if more than 50 percent of the filming days of the  
41 qualified production occurred in a county in this State in which, in  
42 each of the 2 years immediately preceding the date of application,  
43 qualified productions incurred less than \$10,000,000 of qualified  
44 direct production expenditures.



1 3. *Except as otherwise provided in subsections 4 and 5 and*  
2 *NRS 360.7594, if the eligible production company submitted the*  
3 *application for the certificate of eligibility for noninfrastructure*  
4 *transferable tax credits pursuant to NRS 360.759 on or after*  
5 *July 1, 2025, and before July 1, 2043, the base amount of*  
6 *noninfrastructure transferable tax credits calculated pursuant to*  
7 *paragraph (b) of subsection 1 must be reduced by 2 percent of the*  
8 *qualified direct production expenditures if less than 50 percent of*  
9 *the below-the-line personnel of the qualified production are*  
10 *Nevada residents. A reduction in the amount of noninfrastructure*  
11 *transferable tax credits pursuant to this subsection must not*  
12 *reduce the amount of money transferred pursuant to subsection 7*  
13 *of NRS 360.759 to the Account for Nevada Film, Media and*  
14 *Related Technology Education and Vocational Training created*  
15 *by section 30 of this act.*

16 4. For the purposes of paragraph (a) of subsection 2 ~~4~~ and  
17 subsection 3:

18 (a) Except as otherwise provided in paragraph (b) of this  
19 subsection, the percentage of the below-the-line personnel who are  
20 Nevada residents must be determined by dividing the number of  
21 workdays worked by Nevada residents by the number of workdays  
22 worked by all below-the-line personnel.

23 (b) Any work performed by an extra must not be considered in  
24 determining the percentage of the below-the-line personnel who are  
25 Nevada residents.

26 ~~4~~ 5. The Office may:

27 (a) Reduce the cumulative amount of *noninfrastructure*  
28 transferable tax credits that are calculated pursuant to this section by  
29 an amount equal to any damages incurred by the State or any  
30 political subdivision of the State as a result of a qualified production  
31 that is produced in this State; or

32 (b) Withhold the *noninfrastructure* transferable tax credits, in  
33 whole or in part:

34 (1) Until any pending legal action in this State against a  
35 production company or involving a qualified production is resolved.

36 (2) If a production company violates any state or local law.

37 (3) If a production company is found to have submitted any  
38 false statement, representation or certification in any document  
39 submitted for the purpose of obtaining *noninfrastructure*  
40 transferable tax credits.

41 **Sec. 22.** NRS 360.7594 is hereby amended to read as follows:

42 360.7594 1. Except as otherwise provided in this subsection,  
43 the Office of Economic Development shall not approve any  
44 application for *noninfrastructure* transferable tax credits submitted  
45 pursuant to NRS 360.759 if approval of the application would cause



1 the total amount of *noninfrastructure* transferable tax credits  
2 approved pursuant to NRS 360.759 for each ~~fiscal~~:

3 (a) *Fiscal year commencing on or after July 1, 2025, and*  
4 *before July 1, 2028, or on or after July 1, 2043,* to exceed the sum  
5 of \$10,000,000. Any portion of the \$10,000,000 per fiscal year for  
6 which *noninfrastructure* transferable tax credits have not  
7 previously been approved may be carried forward and made  
8 available for approval during the next or any future fiscal year.

9 (b) *Fiscal year commencing on or after July 1, 2028, and*  
10 *before July 1, 2043, to exceed the sum of \$15,000,000. Any portion*  
11 *of the \$15,000,000 per fiscal year for which noninfrastructure*  
12 *transferable tax credits have not previously been approved may be*  
13 *carried forward and made available for approval during the next*  
14 *or any future fiscal year.*

15 2. The *noninfrastructure* transferable tax credits issued to any  
16 production company for any qualified production pursuant to  
17 NRS 360.759:

18 (a) Must not exceed a total amount of \$6,000,000; and

19 (b) Expire ~~4~~ *at the end of the calendar year that is 6* years  
20 after the date on which the *noninfrastructure* transferable tax  
21 credits are issued to the production company.

22 3. For the purposes of calculating qualified direct production  
23 expenditures:

24 (a) The compensation payable to all producers who are Nevada  
25 residents must not exceed 10 percent of the portion of the total  
26 budget of the qualified production that was expended in or  
27 attributable to any expenses incurred in this State.

28 (b) The compensation payable to all producers who are not  
29 Nevada residents must not exceed 5 percent of the portion of the  
30 total budget of the qualified production that was expended in or  
31 attributable to any expenses incurred in this State.

32 (c) The compensation payable to any employee, independent  
33 contractor or any other person *who is below-the-line personnel and*  
34 *who is* paid a wage or salary as compensation for providing labor  
35 services on the production of the qualified production must not  
36 exceed \$750,000.

37 **Sec. 23.** NRS 360.7595 is hereby amended to read as follows:

38 360.7595 1. If the Office of Economic Development receives  
39 an application for *noninfrastructure* transferable tax credits  
40 pursuant to NRS 360.759, the Office shall, not later than 10 days  
41 before a hearing on the application, provide notice of the hearing to:

42 (a) The applicant;

43 (b) The Department; and

44 (c) The Nevada Gaming Control Board.



1 2. The notice required by this section must set forth the date,  
2 time and location of the hearing on the application. The date of the  
3 hearing must be not later than 60 days after the Office receives the  
4 completed application.

5 3. The Office shall issue a decision on the application not later  
6 than 30 days after the conclusion of the hearing on the application.

7 4. Except as otherwise provided in this subsection, if the  
8 application is approved, principal photography of the qualified  
9 production must begin not more than 90 days after the date on  
10 which the decision on the application is issued. The Office of  
11 Economic Development:

12 (a) Shall prescribe by regulation the procedure for determining  
13 the date of commencement of qualified productions that do not  
14 include photography for the purposes of this section.

15 (b) May extend by not more than 90 days the period otherwise  
16 prescribed by this subsection.

17 5. A production company that produces a qualified production  
18 shall submit the audit required by NRS 360.759 and all other  
19 required information to the Office and the Department within the  
20 time required by paragraph ~~(e)~~ (d) of subsection 3 of NRS  
21 360.759. Production of the qualified production must be completed  
22 within 18 months after the date of commencement of principal  
23 photography. If the Office or the Department determines that  
24 information submitted pursuant to this subsection is incomplete, the  
25 production company shall, not later than 30 days after receiving  
26 notice that the information is incomplete, provide to the Office or  
27 the Department, as applicable, all additional information required by  
28 the Office or the Department.

29 6. The Office shall give priority to the approval and processing  
30 of an application relating to a qualified production that promotes  
31 tourism in the State of Nevada.

32 **Sec. 24.** NRS 360.7598 is hereby amended to read as follows:

33 360.7598 The Office of Economic Development shall, on or  
34 before October 1 of each year, prepare and submit to the Governor  
35 and to the Director of the Legislative Counsel Bureau for transmittal  
36 to the Legislature an annual report which includes, for the  
37 immediately preceding fiscal year:

38 1. The number of applications submitted for *noninfrastructure*  
39 transferable tax credits pursuant to NRS 360.759;

40 2. The number of qualified productions for which  
41 *noninfrastructure* transferable tax credits were approved;

42 3. The amount of *noninfrastructure* transferable tax credits  
43 approved;

44 4. The amount of *noninfrastructure* transferable tax credits  
45 used;



1 5. The amount of *noninfrastructure* transferable tax credits  
2 transferred;

3 6. The amount of *noninfrastructure* transferable tax credits  
4 taken against each allowable fee or tax, including the actual amount  
5 used and outstanding, in total and for each qualified production;

6 7. The total amount of the qualified direct production  
7 expenditures incurred by each qualified production and the portion  
8 of those expenditures that were incurred in Nevada;

9 8. The number of persons in Nevada employed by each  
10 qualified production , ~~and~~ the amount of wages paid to those  
11 persons ~~;~~ and *any demographic information concerning those*  
12 *persons that has been voluntarily provided by those persons; and*

13 9. The period during which each qualified production was in  
14 Nevada and employed persons in Nevada.

15 **Sec. 25.** Chapter 231 of NRS is hereby amended by adding  
16 thereto the provisions set forth as sections 26 to 32, inclusive, of this  
17 act.

18 **Sec. 26.** *As used in sections 26 to 32, inclusive, of this act,*  
19 *unless the context otherwise requires, the words and terms defined*  
20 *in sections 27, 28 and 29 of this act have the meanings ascribed to*  
21 *them in those sections.*

22 **Sec. 27.** *“Account” means the Account for Nevada Film,*  
23 *Media and Related Technology Education and Vocational*  
24 *Training created by section 30 of this act.*

25 **Sec. 28.** *“Board” means the Board for Nevada Film, Media*  
26 *and Related Technology Education and Vocational Training*  
27 *created by section 31 of this act.*

28 **Sec. 29.** *“Nevada Studios Project” has the meaning ascribed*  
29 *to it in section 8 of this act.*

30 **Sec. 30.** *1. The Account for Nevada Film, Media and*  
31 *Related Technology Education and Vocational Training is hereby*  
32 *created in the State General Fund. The Executive Director, at the*  
33 *direction of the Board, shall administer the Account.*

34 *2. The Executive Director may apply for and accept gifts,*  
35 *grants, bequests and donations from any source for deposit in the*  
36 *Account.*

37 *3. The Account consists of:*

38 *(a) Money deposited for credit to the Account pursuant to NRS*  
39 *360.759 and section 12 of this act.*

40 *(b) Any direct legislative appropriations to the Account.*

41 *(c) Any gifts, grants, bequests and donations made to the*  
42 *Account.*

43 *(d) Interest and income earned on money in the Account.*



1       4. *The interest and income earned on the money in the*  
2 *Account, after deducting any applicable charges, must be credited*  
3 *to the Account.*

4       5. *Any money remaining in the Account at the end of the*  
5 *fiscal year does not revert to the State General Fund, and the*  
6 *balance in the Account must be carried forward to the next fiscal*  
7 *year.*

8       6. *Money deposited in the Account pursuant to NRS 360.759*  
9 *and section 12 of this act must be accounted for separately and*  
10 *used by the Office to pay costs for the operation of the Nevada*  
11 *Media and Technology Lab in the following order of priority:*

12       (a) *Base rent;*

13       (b) *The costs of employing an administrative officer for the*  
14 *Nevada Media and Technology Lab, and any costs related to such*  
15 *employment, in the amount of \$300,000 per fiscal year;*

16       (c) *Any unpaid rent and interest on such unpaid rent at the*  
17 *rate of 8 percent per year;*

18       (d) *Maintenance of a reserve in the amount of \$1,000,000 for*  
19 *the payment of base rent;*

20       (e) *Payment to the Video Game Publishing Design Program*  
21 *Initiative of the University of Nevada, Las Vegas, in the amount of*  
22 *\$500,000 per fiscal year, or until a total of \$2,500,000 is paid;*

23       (f) *Payment to the Creative Technology Initiative of the*  
24 *University of Nevada, Las Vegas, in the amount of \$1,000,000 per*  
25 *fiscal year for 10 fiscal years, or until a total of \$10,000,000 is*  
26 *paid; and*

27       (g) *A reserve in the amount of \$200,000 per fiscal year for the*  
28 *replacement of shared equipment and furniture, fixtures and other*  
29 *equipment.*

30       7. *Except as otherwise provided in subsection 6, all money in*  
31 *the Account must be used by the Office to make grants approved*  
32 *by the Board to any institution within the Nevada System of*  
33 *Higher Education, a state or local agency, a school district, a*  
34 *vocational trade school, a nonprofit organization, a labor*  
35 *organization or a private postsecondary educational institution*  
36 *that provides a program of workforce development for the*  
37 *production of qualified productions in this State. In addition to*  
38 *being used for making grants pursuant to this subsection, money*  
39 *transferred to the Account pursuant to NRS 360.759 and section*  
40 *12 of this act may be used to pay costs associated to employ*  
41 *personnel to assist with the operation of the Nevada Media and*  
42 *Technology Lab.*

43       8. *If, on June 30, 2048, this section is scheduled to expire by*  
44 *limitation on June 30, 2049, the unamortized balance of the*  
45 *specialized tenant improvements within the Nevada Media and*



1 *Technology Lab must be paid to the owner of the building in*  
2 *which the Nevada Media and Technology Lab is located, and such*  
3 *money must be reserved to pay the costs described in paragraphs*  
4 *(e), (f) and (g) of subsection 6 and to make grants pursuant to*  
5 *subsection 7.*

6 *9. As used in this section:*

7 *(a) "Nevada Media and Technology Lab" has the meaning*  
8 *ascribed to it in section 7 of this act.*

9 *(b) "Qualified production" has the meaning ascribed to it in*  
10 *NRS 360.7586.*

11 **Sec. 31. 1. There is hereby created the Board for Nevada**  
12 **Film, Media and Related Technology Education and Vocational**  
13 **Training within the Office of Economic Development in the Office**  
14 **of the Governor, consisting of the following voting members:**

15 *(a) One member appointed by the Governor, from a nominee*  
16 *selected by the lead participant for the Nevada Studios Project;*

17 *(b) One member appointed by the Governor, from a nominee*  
18 *selected by the lead supplier for the Nevada Studios Project;*

19 *(c) One member, who must not be a Legislator, appointed by*  
20 *the Majority Leader of the Senate;*

21 *(d) One member, who must not be a Legislator, appointed by*  
22 *the Speaker of the Assembly;*

23 *(e) One member, who must not be a Legislator, appointed by*  
24 *the Minority Leader of the Senate;*

25 *(f) One member, who must not be a Legislator, appointed by*  
26 *the Minority Leader of the Assembly;*

27 *(g) One member appointed by the President of the University*  
28 *of Nevada, Las Vegas, or the designee of the President;*

29 *(h) The Executive Director of the Office of Economic*  
30 *Development or his or her designee; and*

31 *(i) The Executive Director of the Governor's Office of*  
32 *Workforce Innovation or his or her designee.*

33 *2. In appointing members to the Board pursuant to*  
34 *subsection 1, the appointing authorities set forth in that subsection*  
35 *shall coordinate to ensure that both the public and private sectors*  
36 *are represented on the Board.*

37 *3. The members appointed pursuant to paragraphs (a), (b),*  
38 *(c), (e) and (g) of subsection 1 must be appointed to an initial term*  
39 *of 4 years commencing on January 1, 2026, and the members*  
40 *appointed pursuant to paragraphs (d) and (f) of subsection 1*  
41 *must be appointed to an initial term of 2 years commencing on*  
42 *January 1, 2026. After the initial terms, each member shall serve a*  
43 *term of 4 years. Each appointed member serves at the pleasure of*  
44 *the person appointing that member pursuant to subsection 1,*  
45 *except for the member appointed pursuant to paragraph (a) of*





1 *subsection 1. If, for any reason, a vacancy occurs during the term*  
2 *of an appointed member, the person who is responsible for making*  
3 *the appointment pursuant to subsection 1 shall appoint a*  
4 *replacement member qualified pursuant to that subsection to serve*  
5 *for the remainder of the unexpired term. Except for the member*  
6 *appointed pursuant to paragraph (a) of subsection 1, each member*  
7 *may serve not more than two consecutive full terms.*

8 *4. At the first meeting of each fiscal year, the Board shall*  
9 *elect from among its members a Chair and a Vice Chair. The*  
10 *Executive Director of the Office shall serve as the Secretary of the*  
11 *Board.*

12 *5. A majority of the voting members of the Board constitutes*  
13 *a quorum, and the affirmative vote of a majority of the voting*  
14 *members of the Board is required to exercise any power conferred*  
15 *on the Board.*

16 *6. The Board shall meet quarterly during the calendar years*  
17 *2026, 2027 and 2028 and, thereafter, at least twice each calendar*  
18 *year, but the Board may meet more often at the call of the Chair*  
19 *or a majority of the voting members of the Board.*

20 *7. The members of the Board serve without compensation but*  
21 *are entitled to receive the per diem allowance and travel expenses*  
22 *provided for state officers and employees generally while engaged*  
23 *in the official business of the Board.*

24 *8. A member of the Board who is an officer or employee of*  
25 *this State or a political subdivision of this State must be relieved*  
26 *from duties without loss of regular compensation so that the*  
27 *officer or employee may prepare for and attend meetings of the*  
28 *Board and perform any work necessary to carry out the duties of*  
29 *the Board in the most timely manner practicable. A state agency or*  
30 *political subdivision of this State shall not require an officer or*  
31 *employee who is a member of the Board to make up the time the*  
32 *officer or employee is absent from work to carry out duties as a*  
33 *member of the Board or use annual vacation or compensatory*  
34 *time for the absence.*

35 **Sec. 32. 1. The Board shall establish:**

36 *(a) The procedures for a person or entity to apply for a grant*  
37 *of money from the Account;*

38 *(b) The criteria to be used to determine whether to approve an*  
39 *application for a grant from the Account to an applicant; and*

40 *(c) The requirements for reports by recipients of grants from*  
41 *the Account concerning the expenditures made from the grant, the*  
42 *outcomes of the programs supported by the grant and any other*  
43 *information deemed necessary by the Board.*



1     **2. The Executive Director may provide advice and**  
2 **recommendations regarding the procedures, criteria and**  
3 **requirements established by the Board pursuant to subsection 1.**

4     **3. The Office shall not make a grant of money from the**  
5 **Account unless the Board has approved the application for the**  
6 **grant.**

7     **4. A recipient of a grant must adopt and implement a**  
8 **community benefits program, which must include, without**  
9 **limitation:**

10     **(a) A commitment to workforce diversity, inclusiveness, access**  
11 **and equality, including, without limitation, for underserved**  
12 **communities, minority groups and veterans;**

13     **(b) An explanation of the actions that will be taken and**  
14 **strategies that will be implemented to promote workforce diversity;**  
15 **and**

16     **(c) The goals and performance measures which will be used to**  
17 **measure the success of the program in achieving those goals.**

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

21     **Sec. 34.** The Legislative Counsel shall:

22     1. In preparing the Nevada Revised Statutes, use the authority  
23 set forth in subsection 10 of NRS 220.120 to substitute  
24 appropriately the term “noninfrastructure transferable tax credits” in  
25 NRS 360.758 to 360.7598, inclusive, for the term “transferable tax  
26 credits” as previously used in those sections.

27     2. In preparing supplements to the Nevada Administrative  
28 Code, substitute appropriately the term “noninfrastructure  
29 transferable tax credits” in NAC 360.800 to 360.865, inclusive, for  
30 the term “transferable tax credits” as previously used in those  
31 sections.

32     **Sec. 35.** This act becomes effective on July 1, 2025, and  
33 expires by limitation on June 30, 2050.





