
ASSEMBLY BILL NO. 325—ASSEMBLYMAN HAMBRICK

MARCH 21, 2011

Referred to Committee on Government Affairs

SUMMARY—Revises provisions governing the jurisdiction and control over items manufactured or produced within this State. (BDR 19-809)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: No.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted-material~~ is material to be omitted.

AN ACT relating to commerce; revising provisions governing the jurisdiction and control over items manufactured or produced within this State; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 **Section 2** of this bill provides that the Federal Government does not have
2 jurisdiction or control over items manufactured or produced within this State for the
3 purpose of sale, use or consumption within this State, and **section 4** of this bill
4 specifies that this State retains sole control over taxes pertaining to such items.
5 **Section 3** of this bill provides that the Federal Government also does not have
6 jurisdiction or control over certain items manufactured or produced outside this
7 State which are imported into this State and used in the manufacture or production
8 of items within this State for the purpose of sale, use or consumption within this
9 State.
10 **Section 5** of this bill provides that the Federal Government, pursuant to the
11 Commerce Clause of the United States Constitution, retains jurisdiction and control
12 over items manufactured or produced within this State for the purpose of sale, use
13 or consumption outside this State.



* A B 3 2 5 *

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

1 **Section 1.** Title 19 of NRS is hereby amended by adding
2 thereto a new chapter to consist of the provisions set forth as
3 sections 2 to 6, inclusive, of this act.

4 **Sec. 2.** *All items which are manufactured or produced within*
5 *this State for the purpose of sale, use or consumption within this*
6 *State are not subject to the jurisdiction or control of the Federal*
7 *Government.*

8 **Sec. 3.** *All items which are manufactured or produced*
9 *outside this State, including, without limitation, packaging or*
10 *shipping containers, labels, components, ingredients, raw*
11 *materials, bottled contents or other items customarily used in the*
12 *manufacture or production of items, and which are imported into*
13 *this State and used in the manufacture or production of items*
14 *within this State for the purpose of sale, use or consumption*
15 *within this State are not subject to the jurisdiction or control of the*
16 *Federal Government.*

17 **Sec. 4.** *This State retains sole control over all taxes arising*
18 *from the intrastate commerce of items which are manufactured or*
19 *produced within this State for the purpose of sale, use or*
20 *consumption within this State.*

21 **Sec. 5.** *1. Items which are manufactured or produced*
22 *within this State for the purpose of sale, use or consumption*
23 *outside this State remain, pursuant to the Commerce Clause of the*
24 *United States Constitution, subject to the jurisdiction and control*
25 *of, and taxation by, the Federal Government.*

26 *2. Items which are manufactured or produced within this*
27 *State pursuant to subsection 1 must contain a label with the*
28 *following language:*

29
30 *For export from the State of Nevada.*

31 **Sec. 6.** *This State may, through separate legislative action,*
32 *impose any controls, regulation or taxation deemed appropriate*
33 *regarding the manufacture or production of items within this State*
34 *for the purpose of sale, use or consumption within this State.*

