
ASSEMBLY BILL NO. 411—ASSEMBLYMAN PAUL ANDERSON

MARCH 18, 2013

Referred to Committee on Taxation

SUMMARY—Revises provisions governing taxation.
(BDR 32-762)

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

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

AN ACT relating to taxation; requiring a seller of a newly constructed residential building to provide the Department of Taxation with a written notice before selling the property stating the outstanding balance, if any, of sales and use taxes which remain due and owing for materials used to construct the residential building; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 With certain exceptions, existing law provides for the assessment and collection
2 of sales and use taxes as a result of the sale, storage, use or other consumption of
3 tangible personal property in this State. (Chapter 372 of NRS) This bill requires the
4 seller of a newly constructed residential building to, not later than 10 days before
5 selling the property, provide written notice to the Department of Taxation
6 specifying the outstanding balance, if any, of the sales and use taxes which are
7 owed for materials used to construct the building and certain other information to
8 assist the Department in collecting such unpaid taxes.

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

1 **Section 1.** Chapter 372 of NRS is hereby amended by adding
2 thereto a new section to read as follows:
3 *1. The seller of a newly constructed residential building shall,*
4 *not later than 10 days before closing the sale on the property,*
5 *provide to the Department:*



1 (a) *Written notice, in the form prescribed by the Department,*
2 *of the outstanding balance, if any, of the sales and use taxes owed*
3 *pursuant to the laws of this State from the wholesale purchase of*
4 *any materials used in the construction of the residential building;*
5 *and*

6 (b) *A sworn affidavit executed by the seller stating that the*
7 *outstanding balance, if any, of the sales and use taxes owed*
8 *pursuant to this chapter as set forth in the written notice is true*
9 *and correct.*

10 2. *The Department may adopt any regulations which are*
11 *necessary to carry out the provisions of this section.*

12 **Sec. 2.** This act becomes effective:

13 1. Upon passage and approval for the purpose of adopting
14 regulations and performing any other preparatory administrative
15 tasks that are necessary to carry out the provisions of this act; and

16 2. On January 1, 2014, for all other purposes.

