

*Nevada Governor's Office of*  
**ECONOMIC DEVELOPMENT**

# Tax Abatements Overview



# Tax Abatements Overview

## About Us:

**The Nevada Governor's Office of Economic Development (GOED)** was created during the 2011 Session of the Nevada Legislature through a collaboration of the Nevada Governor's Office and the Leadership of the Nevada State Senate and State Assembly

(Authority: [NRS 231](#))

## Vision:

A vibrant, innovative, and sustainable economy

## Mission:

High-quality jobs for Nevadans

Nevada Governor's Office of  
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*Empowering Success*

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## What are Tax Abatements?

State and local governments across the United States use several types of tax incentives to encourage private sector firms to create jobs, invest in communities, and strengthen local industries. Tax abatements are a reduction of taxes granted by a government entity to a company for a specific period to encourage economic development.

Tax abatements are discounts, not a pass for paying taxes. Businesses that receive tax abatements still pay taxes, but at discounted rate.

*No money is given to a company — they receive only a discount on their tax obligations.*

The State of Nevada, through the Governor's Office of Economic Development (GOED), offers a variety of tax abatements to help qualifying companies make the decision to do business in the state.

## State of Nevada Tax Abatements:

State of Nevada Tax Abatements are regulatory abatements, regulated by statute that set criteria for each company to meet to qualify for abatements (wage, job and capital investment requirement, as well as offer health insurance for employees).

Companies receiving abatements are entering into a contract (**Tax Agreement**) with the State. The contract allows a company to receive a predetermined reduction in its tax obligations (**reduced tax payments**) for a certain period of time.

In return, the company is obligated to meet criteria listed in the contract and is audited every 2 and 5 years by the Nevada Department of Taxation. If they are not in compliance with the contract, the company is required to pay abated taxes back in full.

Tax Abatements are granted to companies to **promote economic growth and diversification** by prioritizing firms in industries that drive the competitive advantage, innovation, entrepreneurship productivity, wage gains, and economic diversity.

# Tax Abatements Overview

## Who Receives Tax Abatements?

Tax Abatements are granted to companies to ***promote economic growth and diversification*** by prioritizing firms in industries that drive regional competitive advantage, innovation, entrepreneurship productivity, wage gains, and economic diversity.

GOED and the Regional Development Authorities (RDA) will work and prioritize those companies that are listed as ***Targeted Industries*** ([NAC 360.474](#)).

## NAC 360.474 - Factors to Consider when selecting companies for Tax Abatements:

GOED will consider an application for a partial abatement if the goals of the applicant are consistent with GOED's goals related to industrial development and diversification. GOED's goals, without limitation include:

- (a) *Diversification from the industries of gaming and leisure/hospitality.*
- (b) *The attraction of basic [export] industries to this State, including, without limitation, manufacturing, warehousing and distribution.*
- (c) *The attraction to this State of business facilities and services, including, without limitation, corporate headquarters, facilities for research and development, and facilities for services such as technical assistance with products of the business or credit services;*
- (d) *The expansion of existing businesses and industries that are consistent with the goals described in paragraphs (a), (b) and (c).*

➤ Tax abatements are granted to **promote job growth and diversification**

➤ Tax abatements target companies that would not otherwise relocate to Nevada

# Tax Abatements Overview

## Regional Development Authority (RDA)

An entity defined by Nevada Revised Statutes ([NRS 231.009](#)) as an organization for economic development that is designated by the Executive Director of GOED and is one or more local entities, a private non-profit entity, or any combination thereof.

For the list of current RDA's and their designated regions go to:

<https://goed.nv.gov/additional-resources/economic-development-partners/regional-development-authority-rda/>.

## GOED Board

Chaired by the Governor, The GOED Board provide oversight and approves applications for incentives and tax abatements.

To find more about GOED's Board members visit:

<https://goed.nv.gov/about/board>.

## How to Apply for Tax Abatements?

Applications should be submitted to GOED's office **ONLY** through the appropriate Regional Development Authority (RDA). RDA's will provide an applicant with the most current application and will assist in filling needed information.

Each application is presented to the **GOED Board** at bi-monthly Board Meetings, when members of the board approve or deny applications.

## Tax Abatement Application Process:



### Application Intake

The company works directly with the RDA to submit a Tax Abatement Application to GOED.



### Processing and Analyzing

GOED staff will process the application to determine eligibility and qualifications, as well as perform an economic analysis of qualifying application to confirm positive return on investment to the State.



### Board Meeting

Applications are then presented at the Board Meeting and the GOED Board members will approve or deny the application.



### Abatement Agreement and Tax Abatement Package

When approved, the company will complete a contract with GOED. After signing the contract, the Nevada Department of Taxation will provide the company a Taxation Abatement Package to utilize received abatements.

For Board Meeting dates and application deadlines go to:

[www.goed.nv.gov/Incentives](http://www.goed.nv.gov/Incentives).

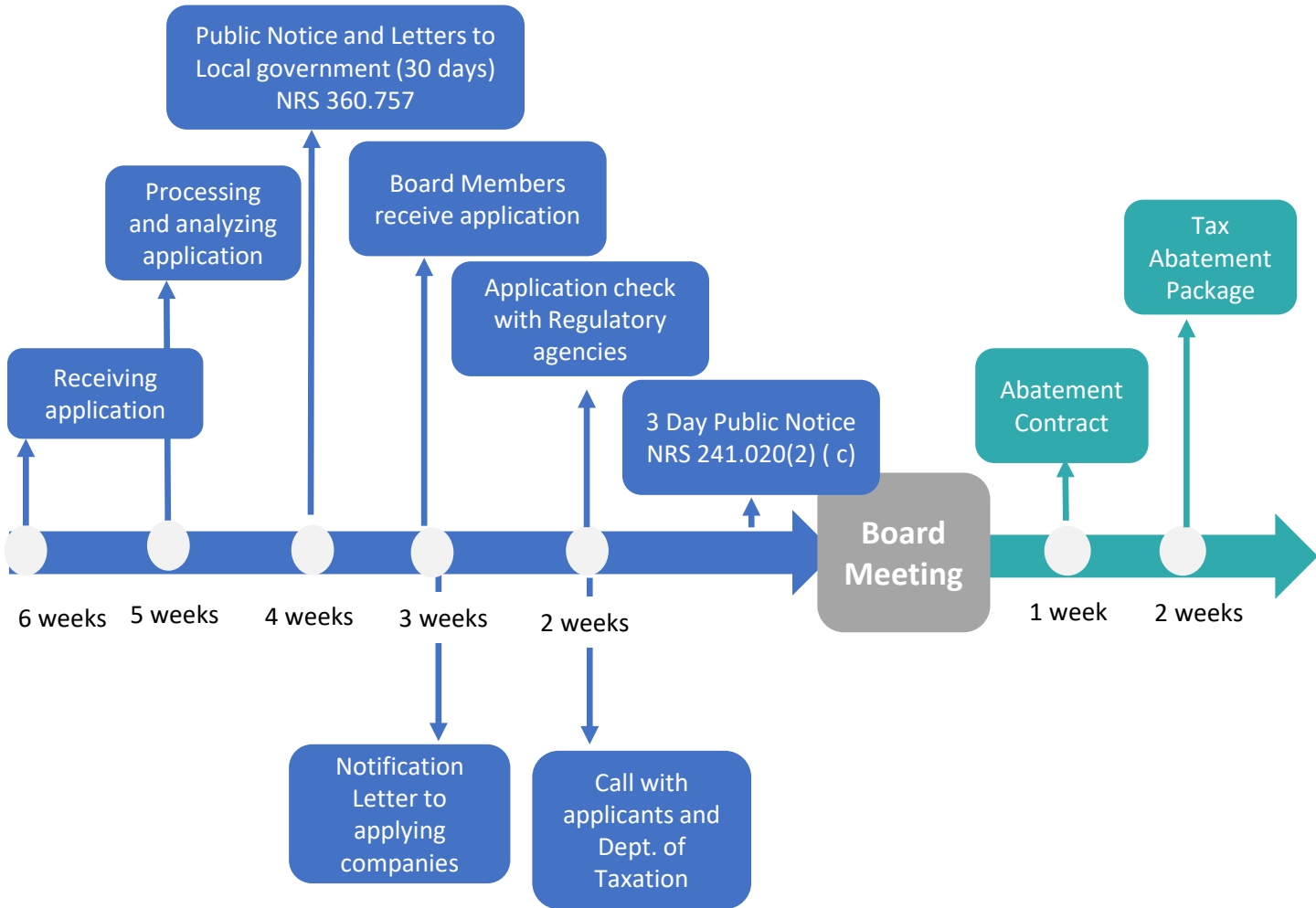
**For more information, please contact GOED's Business Development Team:**

**Melanie Sheldon**, Senior Director of Business Development: [msheldon@goed.nv.gov](mailto:msheldon@goed.nv.gov)

**Alex Bacchus**, Director of Business Development: [abacchus@goed.nv.gov](mailto:abacchus@goed.nv.gov)

# Tax Abatements Overview

## Tax Abatement Application Process - Timeline:



# Tax Abatements Overview

## Tax Abatement Application Process:

Applications should be submitted to GOED's office ONLY through the appropriate Regional Development Authority (RDA).

## Process Timeline – Description of Process:

### 1. Received Abatement Applications – (6 weeks before Board Meeting)

The RDA will submit applications from the company to GOED staff.

### 2. Processing and Analyzing Applications – (5 weeks before the Board Meeting)

GOED staff will determine the application qualification and will work with the RDA to collect any additional documents needed. GOED staff will also calculate the estimated abatement amount, as well as fiscal and economic impact of the application. This can take up to two weeks.

### 3. Public Notice/Notification Letters to Local Governments – (4 weeks before Board Meeting)

GOED staff will post the 30-day Notice for General Public and notify the applicable local governments (County, City and School District) about abatements by mail 30 days prior to the Board Meeting. (*NRS 360.757*)

### 4. Letter to Abatement Applicants – (3 weeks before Board Meeting)

GOED staff will prepare notification letter to applying companies to let them know their applications will be presented and considered at the upcoming Board Meeting by certified mail. (*NRS 241.034*)

### 5. Pre-calls with Abatement Applicants and DOT – (2 weeks prior to Board Meeting)

GOED staff will e-mail prepared applications to appropriate entities for a final review. They will then schedule a pre-call meeting with company representatives, RDA representatives, and the Nevada Department of Taxation to go over details of the upcoming Board Meeting and what to expect if the application is approved.

### 6. Abatement Applications Review by State Regulatory Agencies – (2 weeks prior to Board Meeting)

GOED will review the submitted applications with regulators at the Nevada Department of Business & Industry, the Nevada Department of Conservation & Natural Resources, the Nevada Department of Taxation, and the Nevada Secretary of State Office to identify any regulatory issues and resolve them prior to the Board Meeting.

# Tax Abatements Overview

## Tax Abatement Application Process Continued:

### 7. **Open Meeting Law Posting Notice** – (3 days prior to Board Meeting)

Three business days prior to the Board Meeting, GOED will post the Board Meeting materials to both the GOED and state websites. They will also send an Agenda to counties, RDA's and school districts for posting. ([NRS 241.020\(2\)\(c\)](#))

## ----- BOARD MEETING -----

### 8. **Prepare Abatement Agreement/Contract** – (1 week after the Board Meeting)

The GOED staff will prepare an Abatement Contract to be signed between GOED and the company receiving the tax abatement.

### 9. **Taxation Abatement Package** – (2 – 3 weeks after the Board Meeting)

The executed Abatement Contract will be sent to the Nevada Department of Taxation and relevant County Assessor's offices. The Nevada Department of Taxation and Assessor's Office will then issue the completed Abatement Package to the company.

## Confidentiality of Records and Documents:

When a company submits an application, they can request a confidentiality agreement for certain categories and parts of application ([NRS 231.065](#)).

The confidentiality agreement must be approved by GOED's Executive Director. The Executive Director can determine if certain parts of an application (detailed schedule of equipment list or detailed schedule of employment list) is proprietary information of the business and should not be public record.

# Tax Abatements Overview

## Tax Abatement Agreement, Audit Process and Reporting:

Once the Abatement Application is approved, 5 to 7 business days after the Board Meeting GOED staff will prepare and send an Abatement Contract to the approved company.

**Abatement Contract/Agreement:** Sets forth contractual terms and requirements for grant of tax abatements:

1. **ABATEMENT AGREEMENT TERMS** – The company will agree that approved abatements are conditioned by terms and requirements listed in the signed agreement;
2. **COMPLIANCE AUDIT** – The company will provide the Nevada Department of Taxation with access to the books, records, files and other material needed for the department to carry out abatement compliance audits every 2 and 5 years to monitor and verify the Company's compliance within the terms of signed agreement.
3. **RECAPTURE PROVISIONS** - If GOED, in consultation with the Nevada Department of Taxation, decides the company has failed to comply with the requirements of signed agreement, the company shall repay all granted abatements in full.

Once the Abatement Contract/Agreement is executed between GOED and Company, the Nevada Department of Taxation will receive it, and based on the contract they will issue the Taxation Abatement Package.

### Taxation Abatement Package:

The Nevada Department of Taxation will provide the company with a packet that will include exemption letters and reporting forms "Abatement Returns".

The company will have to submit these Abatement Returns to the Nevada Department of Taxation as follows:

- Sales and Use Tax (SUT) Abatement Return – *Monthly*
- Modify Business Tax (MBT) Abatement Return – *Quarterly*
- Personal Property Tax (PPT) Abatement Return – *Annually*

### Abatement Audit:

The Nevada Department of Taxation performs an Abatement Compliance Audit every 2 and 5 years from the effective date of Abatement Contract. ([NRS 360.755](#) , [NRS 360.225](#))

### Reporting:

GOED prepares and submits a Biennial Report that includes abatements and audit results to the Nevada Legislature. The report will show all abatements awarded by GOED and the Audit Compliance Results. ([NRS 231.0685](#))



# Tax Abatements Overview

## State of Nevada Tax Abatements:

The State/GOED offers **Standard Tax Abatements** that include *sales and use tax abatements* on capital equipment purchases, *sales and use tax deferral* on capital equipment purchases, *abatements on personal property and modified business taxes*, *real property tax abatements for recycling*, as well as **abatements on aviation parts** and **data centers**.

### Standard Abatements ([NRS 360.750](#))

- **Sales and Use Tax Abatement** (*NRS 374.357*) - Sales and use tax abatement on qualified capital equipment purchases, with reductions in the rate to as low as 2%.
- **Modified Business Tax Abatement** (*NRS 363B.120*) - An abatement of 50% of the 1.17% rate on quarterly wages exceeding \$50,000.
- **Personal Property Tax Abatement** (*NRS 361.0687*) - An abatement on personal property not to exceed 50% over a maximum of 10 years.
- **Real Property Tax Abatement for Recycling** (*NRS 701A.210*) - Up to 50% abatement for up to 10 years on real and personal property for qualified recycling businesses.

**Data Center Abatement** ([NRS 360.754](#)) - A partial abatement from personal property tax and sales and use tax are available to data center companies that locate or expand their business in Nevada. Abatements apply to colocated businesses of the data center.

**Aviation Parts Abatement** ([NRS 360.753](#)) - Partial abatements from Personal Property and Sales & Use Taxes are available to aviation companies that locate or expand their business in Nevada.

**New: Paid Family and Medical Leave Requirements effective October 1, 2023**  
(Pursuant to SB1 – 35th Special Session, 2023)

For all incentive applications received after October 1, 2023, the company must meet certain paid family and medical leave requirements to receive an abatement. These requirements state that any business with 50 or more full-time employees on payroll by the 8th calendar quarter following the quarter in which the abatement becomes effective must have a policy for paid family and medical leave agreeing that all employees who have been employed by the business for at least 1 year will be eligible for at least 12 weeks of paid family and medical leave per year, at a rate of at least 55 percent of the regular wage of the employee.

# Tax Abatements Overview

## Standard Tax Abatements ([NRS 360.750](#)):

Standard Tax Abatements that include sales and use tax abatements on capital equipment purchases, sales and use tax deferral on capital equipment purchases, abatements on personal property and modified business taxes, real property tax abatements for recycling:

<b><i>Sales and Use Tax Abatement (SUT)</i></b>	Abatement on qualified capital equipment purchases, with reductions in the rate to as low as 2%.
<b><i>Modified Business Tax Abatement (MBT)</i></b>	Abatement of up to 50% of the 1.17% rate on quarterly wages exceeding \$50,000.
<b><i>Personal Property Tax Abatement (PPT)</i></b>	Abatement on personal property not to exceed 50% over a maximum of 10 years.
<b><i>Real Property Tax Abatement for Recycling (RPT)</i></b>	Up to 50% abatement for up to 10 years on real and personal property for qualified recycling businesses.

## Qualifying Criteria for Tax Abatements:

To qualify for Standard Tax Abatements a company needs to meet **two out of three criteria**:

- Average Wage (Statewide Average Wage) – *\*must meet average wage*
- Capital Investment **OR**
- Number of Primary Jobs Created

Additionally, the company has to offer **medical insurance plan** and pay *at least 65% of the plan's premium costs*.

## Company Responsibilities:

- Maintain the Business in Nevada for 5 years
- Register Pursuant to the Laws of Nevada
- Generate More than 50% of Revenue from the Project from Outside of the State

\*Note: For the most current statewide average wage visit: <https://nevadaworkforce.com/>.

# Tax Abatements Overview

## Standard Tax Abatements – Full vs Partial Tax Abatements:

Based on the wage criteria, a company can qualify for a **Full Tax Abatement** or **Partial Tax Abatement** package.

If a company meets the wage requirement and pays 100% or more of statewide average wage – they will qualify for Full Tax Abatement.

However, if company is paying 85% - 99% of the statewide average wage, then a company will qualify for a Partial Tax Abatement package.

Wage Requirement:	100% of Statewide Average Wage	85—99% of Statewide Average Wage
	Full Tax Abatements:	Partial Tax Abatements:
SUT Abatement	Rate reduced to <b>2%</b> for new company and <b>4.6%</b> for expanding company	Rate reduced to <b>4.6%</b> for new and expanding company
MBT Abatement	abatement of <b>50% for 4 years</b>	abatement of <b>25% for 4 years</b>
PPT Abatement	abatement of <b>50% for 10 years</b>	abatement of <b>25% for 10 years</b>

## Standard Tax Abatements – Urban vs Rural County Criteria:

Additionally, depending on the county in Nevada where company will be locating or expanding its operations, a different qualifying criteria will be applied between Rural and Urban county for Tax Abatements.

	Urban County	Rural County	Expansion
<b>Capital Investment</b>	<b>\$5 million</b> for manufacturing <b>\$1 million</b> for other industries	<b>\$1 million</b> for manufacturing <b>\$250,000</b> for other industries	<b>20% of the value</b> of the company's tangible personal property
<b>Number of Jobs</b>	<b>50</b> or more FTE (No abatements if less than 10 FT jobs are created)	<b>10</b> or more FTE (No abatements if less than 6 FT jobs are created)	<b>10% or more</b> than its existing employee count or by <b>25 (urban)</b> or <b>6 (rural)</b> employees, whichever is greater

# Tax Abatements Overview

## Data Center Tax Abatement ([NRS 360.754](#)):

A partial abatement from personal property tax and sales and use tax are available to data center companies that locate or expand their business in Nevada. Abatements apply to collocated businesses of the data center.

A company and co-located tenants who intend to locate or expand a data center in Nevada and meets certain requirements may qualify for:

- Personal property tax abatement of 75% of the tax due for 10 or 20 years
- Sales and use tax abatement reducing the rate to 2% for 10 or 20 years

***Requires the Governor's Office of Economic Development Board to approve a reduction to 2% by a two-thirds vote. If this is not approved, the abatement will be reduced to 4.6%***

The company must meet all three requirements within the first 5 years of operation listed below:

### **10-year Abatements:**

- Jobs: Within 5 years employ 10 full-time employees who are Nevada residents
- Wages: Pay at least 100% of the Statewide Average Wage
- Capital Investment: Within 5 years, invest at least \$25 million in cumulative capital expenditures between the applicant and tenants

### **20-year Abatements:**

- Jobs: Within 5 years employ 50 full-time employees who are Nevada residents
- Wages: Pay at least 100% of the Statewide Average Wage
- Capital Investment: Within 5 years, invest at least \$100 million in cumulative capital expenditures between the applicant and tenants

### **Co-Located Tenants Must:**

- Enter into a minimum two-year agreement with the applicant to use or occupy space at the data center
- Obtain a business license issued by the Secretary of State

### **Company Must:**

- Register pursuant to the laws of Nevada and maintain business for 10 years
- Offer medical insurance plan and pay at least 65% of the plan's premium costs
- Ensure that 50% or more of all workers engaged in construction of the data center are Nevada residents

# Tax Abatement Overview

## Aviation Parts Tax Abatement ([NRS 360.753](#)):

Companies meeting requirements that include owning, operating, maintaining, servicing, testing, repairing, overhauling, or assembling an aircraft or any component of an aircraft may qualify for:

- Personal property tax abatement of 50% of the tax due for 10 years
- Sales and use tax abatement reducing the rate to 2% for 10 years

*Requires the Governor's Office of Economic Development Board to approve a reduction to 2% by a two-thirds vote. If this is not approved, the abatement will be reduced to 4.6%*

### New Companies Must:

- Create **5 or more new full-time jobs** within one year

In addition to the above requirements the company must meet 1 of the following criteria:

- Make a new capital investment of at least \$250,000 within 1 year
- Maintain and possess in this State tangible personal property of not less than \$5,000,000
- Pay an average wage of at least 100% of the statewide average wage
- The business develops, refines or owns a patent or other intellectual property, or has
- been issued a FAA certificate (14 CFR Part 21)

### Existing Companies Must:

- Within 1 year Increase the number of full-time employees **by 3% or 3**, whichever is greater

In addition to the above requirements the company must meet 1 of the following criteria:

- Make a new capital investment of at least \$250,000 within 1 year
- Maintain and possess in this State tangible personal property of not less than \$5,000,000
- Pay an average wage of at least 100% of the statewide average wage
- The business develops, refines or owns a patent or other intellectual property, or has
- been issued a FAA certificate (14 CFR Part 21)

### Additional Requirements:

- Maintain the business in Nevada for 5 years
- Register pursuant to the laws of Nevada
- Offer medical insurance plan and pay at least 65% of the plan's premium costs

# Tax Abatements Overview

## Explanation of Main Terms Related to Tax Abatements:

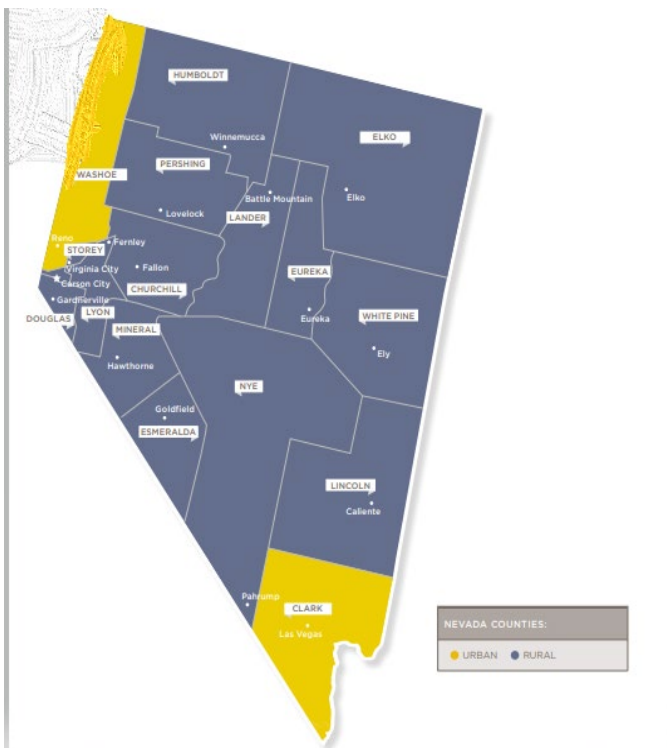
**The Statewide Average Hourly Wage** - is determined by the Nevada Department of Employment and Rehabilitation (DETR) and changes on July 1 of every year <https://www.nevadaworkforce.com>.

**Primary Jobs** ([NAC 231.363](#)) means a permanent position of employment at a physical location of a certified entity in this State if:

1. The employee filling that position works an average of at least 30 hours per week; and
2. Not less than half of the revenue generated at that location is derived from exports to locations outside of this State.

### Urban And Rural Counties in Nevada ([NRS 360.750](#))

- **Urban Area** — A county whose population is 100,000 or more, or a city whose population is 60,000 or more.
- **Rural Area** — A county whose population is less than 100,000 or a city whose population is 60,000 or less that is located within the geographic boundaries of an area that is designated as rural by the United States Department of Agriculture and at least 20 miles outside of the geographic boundaries of an area designated as urban by the United States Department of Agriculture.



#### Urban Counties:

- Clark County
- Washoe County

#### Rural Counties:

- Carson City
- Churchill County
- Douglas County
- Elko County
- Esmeralda County
- Eureka County
- Humboldt County
- Lander County
- Lincoln County
- Lyon County
- Mineral County
- Nye county
- Pershing County
- Storey County
- White Pine County

# Tax Abatements Overview

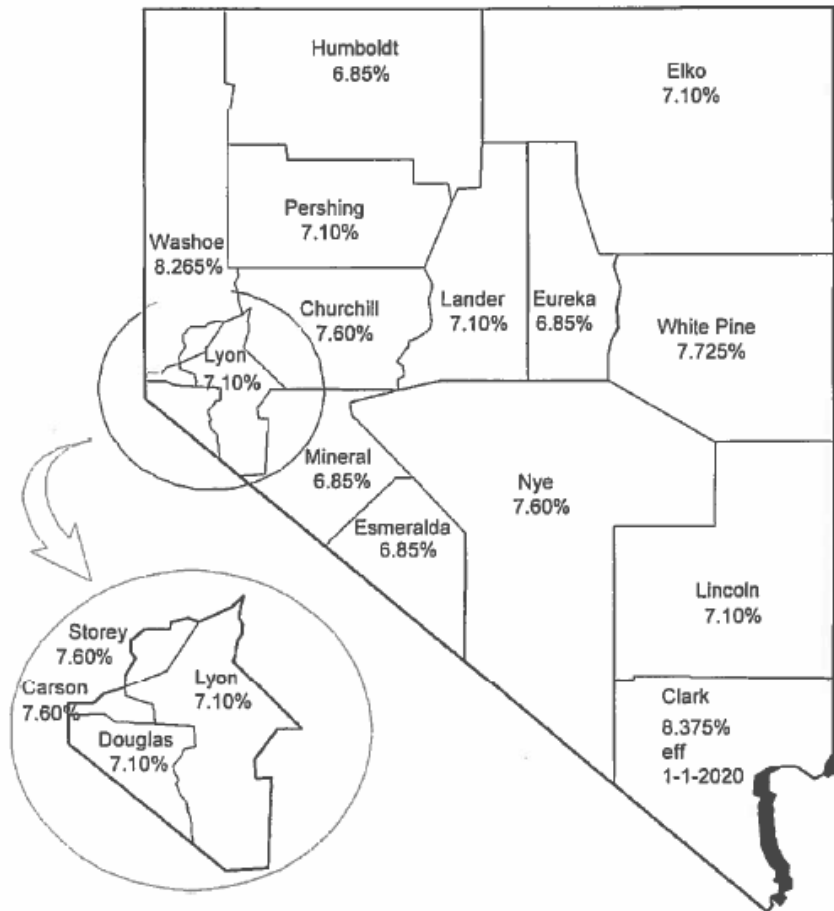
## Explanation of Main Taxes in Nevada

### Sales and Use Tax in Nevada:

Nevada sales tax, local school support tax, and city/county relief tax are imposed on retailers for the privilege of selling tangible personal property at retail.

Sales tax is measured by gross receipts from retail sales. Use tax is measured by the sales price of the property. "Gross receipts" and "sales price" means the total amount of the sale including all receipts, cash, credits, barter or service.

Use tax is imposed upon the storage, use or other consumption in this State of tangible personal property purchased from a retailer. Use tax is not imposed when the sale of the property to the consumer is subject to the sales tax. For the most part, use tax rather than sales tax applies to property purchased outside Nevada, without tax, for transfer, delivery or shipment to a consumer located in Nevada ([https://tax.nv.gov/Forms/Sales\\_Use\\_Tax\\_Forms/](https://tax.nv.gov/Forms/Sales_Use_Tax_Forms/)).



# Tax Abatements Overview

## Explanation of Main Taxes in Nevada

### Modified Business Tax in Nevada:

Every employer who is subject to Nevada Unemployment Compensation Law (NRS 612) is also subject to the **Modified Business Tax on total gross wages less employee health care benefits paid by the employer.**

Total gross wages are the total amount of all gross wages and reported tips paid for a calendar quarter as reported to the Employment Security Division on form NUCS 4072. (Exceptions to this are non-profit organizations, Indian Tribes, political subdivisions, and employers with household employees only [https://tax.nv.gov/Forms/Modified Business Tax Forms/](https://tax.nv.gov/Forms/Modified_Business_Tax_Forms/)).

### Modified Business Tax has two classifications:

#### ➤ General Business:

The tax rate for most General Business employers, as opposed to Financial Institutions, is 1.17% on wages after deduction of health benefits paid by the employer and certain wages paid to qualified veterans. However, the first \$50,000 of gross wages is not taxable.

For example:

if the sum of all wages for the 9/15 quarter is \$101,000 after health care and qualified veteran wage deductions, the tax is \$596.70 ( $\$101,000 - \$50,000 = \$51,000 \times 0.0117$ ).

A tax return will still need to be filed by all employers, even if the taxable wages are less than \$50,000 and tax due is \$0.

#### ➤ Financial Institution:

The tax rate for financial institutions is 1.554% on the gross wages less employee health care benefits paid by the employer and certain wages paid to qualified veterans. Financial institutions are not provided the wage exemption afforded to general businesses and must report and pay tax at the 1.544% rate on all wages less the deductions.

What entities qualify as Financial Institutions? For definition and detailed information check [\(NRS 363A.050\)](#).



# Tax Abatements Overview

## Explanation of Personal Property vs Real Property

### Property Taxes in Nevada:

**Personal Property** is defined in [NRS 361.030](#) and includes “all property of whatever kind or nature, except vehicles as defined in [NRS 371.020](#), not included in the term “real estate.”

“**Real Estate**” or “**Real Property**” is defined in [NRS 361.035](#), and includes land, houses, buildings, fences, ditches, structures, railroads, other improvements, and property rights.

Real property is further defined in [NAC 361.11715](#) as land, fixtures, improvements; on-site enhancements; and any rights, interests, benefits and privileges belonging or attached to the land

To compute the property taxes for a particular parcel of property, simply multiply the assessed valuation by your county’s tax rate as shown in the following example.

$$\text{Taxable Value X 35\%} = \text{Assessed Value X Tax Rate} = \text{Property Taxes Due}$$

**Personal Property Taxes** are calculated in the same manner as real property and are subject to the same caps as real property.

The taxable values of personal property are calculated by the assessor using the depreciation schedules adopted annually by the Tax Commission. Upon determination of the assessed value, the assessor applies the applicable tax district’s combined property tax rate to the assessed value.

Taxpayers with taxable personal property are required to declare the property to the assessor each year. Business taxpayers must complete a declaration form, available at the assessor’s office, upon starting a new business.

The assessor’s office will mail a declaration form to each business annually, after the initial filing. Business taxpayers must declare all additions and deletions in personal property annually.