

Stadium Construction Funding and Oversight
Legislative Recommendation | Preliminary Draft

EXPLANATION: Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be removed. Green underline text are recommended additions by the developer; ~~purple strikethrough text~~ are recommended deletions by the developer. **Highlighted sections** are those where recommendations have been made by the developer but the language has not been adopted, as SNTIC's review and consideration of those recommendation remains pending (see, Appendix A, pages 3 through 8).

OVERVIEW

SECTION 1 to ~~SECTION 17~~SECTION 174 of this bill establish a method to finance the acquisition, construction, lease, improvement, equipping, operation and maintenance of a stadium project ~~or a college football stadium~~ in a county whose population is 700,000 or more (currently Clark County). **SECTION 7 through SECTION 12** create a stadium authority as a public body and establish its powers and authorities. **SECTION 13~~SECTION 130~~SECTION 130** of this bill creates a district to finance a large events center stadium project in such a county and provides that the district consists of all property that is located within the county ~~and each city within the county and~~ that is within 25 miles of the center ~~of the~~ of the site of the large events center stadium project site. **SECTION 13~~SECTION 130~~ and SECTION 285** of this bill also provides for the imposition, collection and administration of a tax upon on all persons in the business of providing lodging in the district at a specified rate of the gross receipts from the rental of transient lodging in the district. **SECTION 14~~SECTION 14~~SECTION 14** of this bill requires the stadium authority for the county in which the district is located to use the proceeds of the tax to pay all or part of the costs to acquire, construct, lease, improve, equip, operate or maintain: (1) if a National Football League franchise commits to ~~allow a professional football team to locate or~~ relocate to the district, a large events center stadium project in the district; or (2) if a commitment from ~~the a~~ National Football League franchise to ~~allow a professional football team to locate or~~ relocate to the district is not obtained but a university within the district obtains a commitment of at least \$200,000,000 in private funding for a football stadium on its campus, a college football stadium on that campus. If the conditions for the use of the proceeds of the tax for a large events center stadium project ~~or a college football stadium~~ are not satisfied, the proceeds of the tax must be distributed to the county fair and recreation board for use to pay debts incurred for the facilities of that board. **SECTION 15~~SECTION 152~~SECTION 152** of this bill defines the allocations of revenue collected by the Stadium Authority stadium authority Board. **SECTION 16** of this bill requires revenue sharing of any and all annual stadium operations net proceeds in ~~exceed~~ excess of the developer preferred return amount. **SECTION 13** of this bill requires the equal distribution of stadium operating net revenues to the Stadium Authority Board and stadium developer once the developer has received the preferred annual rate of return. **SECTION 17~~SECTION 174~~SECTION 174** of this bill requires the county in which the district is located to issue special obligations of the county to defray the cost to acquire, construct, lease, improve, equip, operate or maintain a large events center stadium project if the a National Football League franchise commits to ~~allow a professional football team to locate or~~ relocate to the district. If such a commitment is not obtained and a university in the district secures a commitment of \$200,000,000 in private funding for a football stadium on the campus of the university, **SECTION 17~~SECTION 174~~SECTION 174** also provides for the issuance of special obligations of the State of Nevada to defray the cost to acquire, construct, lease, improve, equip, operate or maintain a football stadium on the campus of the university. **SECTION 18~~SECTION 195~~ through SECTION 27~~SECTION 283~~SECTION 283** provide for the creation of a tax increment area that for a large events center stadium

project, authorize the allocation of certain increases in the sales and use tax, modified business tax and live entertainment tax to the tax increment account for the area and specify the purposes for which the money in the tax increment account may be spent by the stadium authority. ~~SECTION 26~~SECTION 274 defines "Authority" to include a stadium authority. ~~SECTION 28~~SECTION 285 provide for alternative, lower transient lodging tax rates to apply in the event that a large event center project is not able to meet the requirement set forth in the act and lower rates are put in place to fund a collegiate stadium~~allows the county to expand the tax increment area for a stadium project.~~ ~~SECTION 29~~SECTION 306 establishes the terms of stadium authority board members. ~~SECTION 31~~SECTION 307 establishes effective dates for each section of the act.

LANGUAGE FOR CONSIDERATION

SECTION 1. ~~As used in section 1 SECTIONS 1 to 2131, inclusive, of this act, unless the context otherwise requires, the words and terms defined in sections and of this act below defined in SECTIONS 2~~sections 2 through 6 of this act have the meanings so ascribed to them in those sections.

~~SECTION 1.~~SECTION 2. "Developer pPartner" means one or more private parties providing funds needed to construct the large events center stadium project or providing funds needed to make capital improvements to the stadium project in the District, which shall be an owner of Stadium Events Company. The developer partner, or its affiliate, may also be a part owner of the Stadium Events Company.

~~SECTION 3.~~ ~~SECTION 2.~~"District" means the district to finance a large events center stadium project that is created by subsection 1 of SECTION 13 section 13 of this act.

~~SECTION 2.~~SECTION 4. "NFL tTeam" means the National Football League franchise that has committed to relocate to the District and utilize the large events center stadium project for its home National Football League games and related activities. The NFL team, or its affiliate, may also be a part owner of the Stadium Events Company.
~~which shall be an owner of the Stadium Events Company.~~

~~SECTION 5.~~ ~~SECTION 4.~~"Stadium authority" means the stadium authority for the county in which a district is located.

SECTION 6. "Stadium Events Company" means the legal entity owned by and comprised of -the NFL Team (or team, or its affiliate,) and/or any other dDeveloper pPartner, or its affiliate, contributing equity to the construction of the stadium, which will lease the large events center stadium project pursuant to a long-term lease with the stadium authority.

SECTION 7. 1. In each county whose population is 700,000 or more, there is hereby created a stadium authority consisting of seven members to be appointed as follows:

- (a) Three members appointed by the Governor;
- (b) Two members appointed by the board of county commissioners of the county in which the district created by by sSection 13 of this act is located; and
- (c) Two members appointed by the Stadium Events Company development partners.

2. The stadium authority constitutes:

- (a) A body corporate and politic;
- (b) A political subdivision of the county in which the district created by section 130 is located; and
- (c) A political subdivision of this State, the boundaries of which are conterminous with the boundaries of the district created by Section 13 of this Act.

3. A vacancy on the stadium authority occurs when a member:

- (a) Dies or resigns; or
- (b) Is removed, with or without cause, by the person or entity who appointed that member.

4. A vacancy on the stadium authority must be filled in the same manner as the original appointment pursuant to subsection 1.

5. A member of the stadium authority is not entitled to receive any compensation for serving as a member or officer of the stadium authority.

6. The members of the stadium authority are public officers for the purposes of chapter 281A of NRS.

SECTION 8. 1. The Governor shall appoint one of the stadium authority its members as Chair.

2. The stadium authority shall appoint:

- (a) One of its members as Vice Chair; and
- (b) A Secretary and a Treasurer, who may be members of the stadium authority and may be one person.

3. The Vice Chair of the stadium authority shall serve as Chair when the position of Chair is vacant or when the Chair is absent from any meeting.

4. The stadium authority shall meet regularly in the district at such times and places as it designates. Special meetings may be held at the call of the Chair, upon notice to each member of the stadium authority, as often as the needs of the stadium authority require.

5. Except as otherwise provided in subsection 5 of NRS 281A.420:

(a) Four of the members of the stadium authority constitute a quorum at any meeting of the stadium authority.

(b) The stadium authority may take action only by a motion or resolution adopted with the approval of at least four members of the stadium authority when a quorum is present, and only actions complying with this Act may be taken by the stadium authority.

6. The stadium authority constitutes a public body for the purposes of chapter 241 of NRS.

SECTION 9. 1. The stadium authority may retain such staff as it determines to be necessary to conduct the activities of the stadium authority. The stadium authority may:

- (a) Hire the members of its staff as employees;
- (b) Contract with any governmental entity or other person to provide the persons to serve as its staff; or
- (c) Retain the members of its staff using any combination of the methods described in paragraphs (a)(a) and (b)(b).

2. The stadium authority shall specify:

- (a) The powers and duties of the members of its staff; and
- (b) The amount and basis of compensation for the members of its staff.

SECTION 10 The stadium authority:

1. May adopt a seal;

2. May adopt, and from time to time amend or repeal, as it determines to be necessary or desirable, appropriate bylaws, rules and regulations, not inconsistent with the provisions of ~~SECTION 11~~section 11 to ~~SECTION 24~~section 17, of this act, for carrying out its business and affairs; and
3. Shall create a tax increment account, a stadium capital projects fund and a stadium authority operating account to carry out the provisions of ~~SECTION 1 to SECTION 23~~, of this act.

SECTION 11 ~~1.1) Except as otherwise provided in SECTION 9 SECTION 10~~In addition to the powers and authorities granted to the stadium authority in sections 9 and 10 and except as otherwise provided in section 12, the stadium authority may:

(a) Enter into any contracts and other agreements with any person or other entity that the ~~Board~~stadium authority board determines to be necessary or desirable to conduct the business of the stadium ~~a~~Authority.

(b) Sue and be sued.

(c) Acquire by purchase, lease, gift, devise, condemnation or otherwise and own, in its own name, all necessary right, title, and interest in and to land and the improvements upon that land as well as any associated air rights and personal property.~~Acquire and own land and the improvements upon that land.~~

(d) Proceed with any undertaking and enter into any contracts or other agreements that the stadium authority determines to be necessary or desirable. The contracts and other agreements authorized by this subsection:

- (1) May include, without limitation, contracts or other agreements relating to the design, planning, construction, acquisition, lease, lease-purchase, license, gift, equipment, maintenance, insurance, operation, management, promotion or advertising of any undertaking or any part thereof; and
- (2) Are not subject to the limitations of subsection 1 of NRS 354.626.

~~(a)~~(e) Enter into a lease, ground lease, sublease or management agreement with any party authorizing the stadium authority to lease any portion of the land in the tax increment area owned by any party and any improvements thereon or, only in the case of land that is owned or controlled by the Nevada System of Higher Education, to manage such land or improvements for the Nevada System of Higher Education on such terms as may be acceptable to the stadium authority and the Board of Regents and which do not violate any covenants concerning any securities issued by the Board of Regents.

~~(b)~~(f) Receive any public and private resources necessary to fund, finance and develop the undertaking.

~~(c)~~(g) Approve, in consultation with the ~~development partner~~developer partners, the site selected for the undertaking.

~~(d)~~(h) Approve, in consultation with the ~~development partner~~developer partners, the overall design, scope and specifications of the undertaking.

~~(e)~~(i) Enter into a development agreement with the ~~development~~ment partners and/or the NFL Team.

~~(f)~~(j) Enter into a long-term lease for the ~~large events center~~stadium project.

~~(g)~~(k) Receive audits and other performance measurements as may be required to ensure that the stadium operations are consistent with the intent of ~~the Legislature~~this act. This may include an audit of the Stadium Events Company, but shall not include in any event any right to audit the business of the NFL Team generally or the business of any of the developer partners generally.

~~(h)~~(l) Retain the ~~The~~sole and exclusive right to enter into agreements to provide for the sale, license, or transfer of personal seat licenses, stadium builders' licenses, or other similar instruments for any and all seats in the large events center stadium project to generate revenues used for construction of the large events center stadium project. ,The stadium authority may not grant any other person the right to enter into such agreements, but it may in its contract with the developer partners, agree that any

agreements regarding seat licenses will be made only in consultation with the developer partners, or if applicable, the Stadium Events Company and the NFL Team~~in consultation with and subject to the approval of the Stadium Events Company and the NFL Team.~~ Such personal seat licenses or similar instruments may contain priority purchase rights to ticketed events in the large events center stadium project, including the NFL Team's home games. Proceeds from the sale of such personal seat licenses or similar instruments shall be collected solely by or on behalf of the stadium authority for the account and benefit of the stadium construction by the stadium authority and are a payment by purchasers to the owner of the large events center stadium project for special rights of access to events at the large events center stadium project. The stadium authority may contract with, or appoint as its sales agent, a third party sales agency, subject to the approval of the NFL Team, or the NFL Team, or an affiliate of the NFL Team, for the sale of such licenses or similar instruments. The lessees of the large events center stadium project shall agree to honor the rights granted by the stadium authority to purchasers of these personal seat licenses or similar instruments.

~~(i)~~ (m) Approve Consider, approve or disapprove an annual capital improvement budget submitted by the Stadium Events Company and approve or disapprove specific requests for capital improvements made by the Stadium Events Company.

~~(j)~~ (n) Perform any other acts that may be necessary, convenient, desirable or appropriate to carry out the powers and duties of the stadium authority.

~~2-~~ 2. If the stadium authority enters into a development agreement with development partner developer partners, the stadium authority shall ensure that the development partner developer partners will provide suitable financial security for their funding obligations as a part of the project financing.

SECTION 12 1. The stadium authority and any person to whom the stadium authority delegates any of its powers or duties shall not:

(a) Expend or authorize the expenditure of any money in the tax increment account unless the stadium authority has entered into a lease, ground lease or management agreement pursuant to paragraphs (d) and (ed) of subsection 1 of SECTION 11 section 11 of this act which authorizes a specific undertaking.

(b) Proceed with any undertaking or issue any securities to defray in whole or in part any cost of any undertaking unless the stadium authority has entered into a lease, ground lease or management agreement pursuant to paragraphs (d) and (ed) of subsection 1 of SECTION 11 section 11- of this act which authorizes that undertaking.

2. The stadium authority may receive, acquire, and own land and the improvements upon that land in its name.

~~SECTION 13-~~ **SECTION 13** 11- In each county whose population is 700,000 or more, there the board of county commissioners may, by ordinance, create is hereby created a district to finance a large events center stadium project. The district consists of all property that is within the county and within each city in the county and that is located within a radius of 25 miles from the center of the location or proposed location of a large events center stadium project constructed or to be constructed in the county.

~~2-~~ 2. If a district is created, the board shall impose here is hereby imposed upon all persons in the business of providing lodging in the district a tax at the rate of:

(a) Seven-tenths of one percent of the gross receipts from the rental of transient lodging in a gaming corridor within the district.

(b) One half of one percent of the gross receipts from the rental of transient lodging in areas within the district but outside of a gaming corridor within the district.

3. The tax imposed by subsection ~~22~~ may be shown as an addition to the charge for the rental of transient lodging. The person providing the transient lodging is liable to the county in which the district is located for the tax whether or not it is actually collected from a paying guest.

4. The taxes imposed by subsection ~~22~~ must ~~must~~:

(a) Be in addition to all other taxes imposed on the revenue from the rental of transient lodging in the county or city;

(b) Be collected and enforced in the same manner as any other tax imposed in the county or city on the gross receipts from the rental of transient lodging; and

(c) Be distributed to the stadium authority, which shall use the proceeds of the taxes in the manner set forth in ~~SECTION 14~~ section 14 of this act.

~~(e)~~(d) Be imposed and collected in each incorporated city in the county in addition to being imposed in the portion of the district which is not in an incorporated city.

5. As used in this section:

(a) "Gaming corridor" (define boundaries of area in which 0.7% rate will be imposed).

(b) "Gross receipts from the rental of transient lodging" does not include the tax imposed or collected from paying guests pursuant to this section.

6. The tax imposed in section 2 of this act shall be effective on the first day of the month that is not less than 3 nor more than 4 months after the adoption of the ordinance imposing the tax.

7. The provisions of NRS 237.030 through 237.150 shall not apply to the adoption of any ordinance creating a district or imposing a tax under this section or any amendment thereof or any other action of the board of county commissioners relating thereto.

8. Any parcel of land or building or other structure which is partially within a district created under this section or a gaming corridor described in subsection 5(a) of this section shall be treated as being wholly within the applicable district or corridor for the purposes of the tax imposed by this section.

9. If a National Football League franchise has not committed to relocate within the boundaries of the district or and that professional football team has not entered into a contract for the location or relocation of the team within boundaries of the district within the period described in subsection 1 of section 30 of this act, within 90 days after the end of such period, the board of county commissioners in the district shall reduce the taxes imposed under subsection 2 to the following rates:

(a) Three-eighths of one percent of the gross receipts from the rental of transient lodging in a gaming corridor within the district.

(b) One-quarter of one percent of the gross receipts from the rental of transient lodging in areas within the district but outside of a gaming corridor.

10. Taxes imposed by this section shall sunset:

(a) At such time as bonds or other securities outstanding to which the receipts of that tax are pledged have been paid in full; or

(b) Thirty-three years,

Whichever occurs first.

11. In addition to the rate sunset requirements set forth in subsection 10 of this section, in the event tax rates are reduced pursuant to subsection 9 of this section, taxes imposed by this section shall not reduce or otherwise modified for a period of two years following the rate reduction.

- SECTION 14** 1. The stadium authority shall create an account and deposit into ~~the~~ such account any proceeds of the taxes imposed by subsection ~~22~~ of ~~section~~ SECTION 13 of this act received by the stadium authority.
2. Except as otherwise provided in subsection 3 or 4, before the issuance of any securities pursuant to ~~SECTION 12~~ section 12 of this act, the stadium authority shall use the proceeds of the taxes imposed by subsection ~~22~~ of section 13 of this act and any applicable penalty or interest solely to pay all or part of the cost to acquire, construct, lease, improve, equip, operate and maintain within the boundaries of the district a ~~large events center~~ stadium project or to establish a bond reserve fund and other reserves to secure any ~~securities~~ bonds issued pursuant to section 12 ~~SECTION 12~~ of this act, or any combination thereof, as directed by the ~~board of directors of the~~ stadium authority.
3. Except as otherwise provided in subsection 4, the stadium authority shall not expend any of the proceeds of the taxes imposed by subsection ~~22~~ of section 13 of this act to pay any costs to acquire, construct, lease, improve, equip, operate or maintain a ~~large events center~~ stadium project unless, within the period prescribed by ~~SECTION 30~~ section 30 of this act, ~~the~~ a National Football League franchise has committed to ~~allow the location or relocation of a professional football team~~ relocate within the boundaries of the district.
4. If, within the period prescribed by ~~SECTION 30~~ section 30 of this act, ~~the~~ a National Football League franchise has not committed to ~~allow the location or relocation~~ relocate of a professional football ~~team~~ within the boundaries of the district or that professional football ~~team~~ franchise has not entered into a contact for the location or relocation of the team within boundaries of the district, the stadium authority shall notify the president of any university that is a part of the Nevada System of Higher Education whose principal campus is located in the district of that fact.:
- (a) If, within 24 months after ~~the end of the period prescribed by SECTION 30 of this act~~ this notice has been provided, a university within the boundaries of the district has secured a commitment of at least \$200,000,000 in private funding for the acquisition, construction, lease, improvement, equipment, operation or maintenance of a football stadium within the boundaries of the district, the stadium authority shall use the proceeds of the taxes imposed by subsection 2 of ~~SECTION 13~~ section 13 of this act to acquire, construct, lease, improve, equip, operate or maintain a football stadium within the boundaries of the district, and to pay for any bonds or other securities issued for that purpose, including refunding securities. :
- (b) If, within the period prescribed by the immediately preceding paragraph (a), ~~no~~ a university within the boundaries of the district has ~~not~~ raised the private funding described in such paragraph (a), ~~distribute the proceeds of~~ the taxes imposed by subsection 2 of ~~SECTION 13~~ section 13 of this act shall be distributed to the county fair and recreation board for the payment of securities issued to finance the renovation and expansion of its facilities located with the district ~~the facilities of that board~~.
5. After the issuance of securities pursuant to:
- (a) Subsection ~~21~~ of section 14 ~~SECTION 17~~ of this act, the proceeds of the taxes imposed by subsection 2 of section ~~SECTION 13~~ of this act and any applicable penalty or interest must be used by the stadium authority to pay the bond requirements of loans, money advanced to, or indebtedness, whether funded, refunded, assumed or otherwise, incurred by the county to finance or refinance, in whole or in part, a ~~large events center~~ stadium project within the boundaries of the district.
- (b) Subsection ~~41~~ of section 14 ~~SECTION 17~~ of this act, the proceeds of the taxes imposed by subsection 2 of section ~~SECTION 13~~ of this act and any applicable penalty or interest must be used by the stadium authority to pay the bond requirements of loans, money advanced to, or indebtedness, whether funded, refunded, assumed or otherwise, incurred by the State of Nevada to finance or refinance, in

whole or in part, a collegiate football stadium within the boundaries of the district.

SECTION 15 1. Stadium ~~Authority~~ authority shall allocate its ~~allocations of~~ collected revenue to in the following order of priority ~~include~~:

(a) Bond repayment;

~~(a) Application of the proceeds of any personal seat license (PSL) or similar seat license program directly to the construction costs of the stadium project;~~

(b)

~~(b) Stadium Authority authority operations;~~

(c)

~~(c) Stadium project capital improvement fund;~~

(d)

~~(d) UNLV/Sam Boyd payment;~~

(e)

~~(e) Las Vegas Metropolitan Police Department Resort Corridor funding; and~~

(f)

~~(f)~~ (g) Clark County event fund.

SECTION 16. 1. ~~Authority~~ Stadium Operations Revenue Sharing. Any and all annual stadium operations net revenues in excess of ~~developer preferred return~~ the Stadium Events Company's preferred return amount shall be distributed equally between the ~~Stadium Authority~~ stadium authority Board and the Stadium Events Company ~~developer~~.

SECTION 17. **SECTION 17.** 1. If:

~~(a) The A National Football League franchise has committed to relocate allow the location or relocation of a professional football team within the boundaries of the district;~~

~~(b) That NFL Team football team has entered into a contract to locate or relocate the team within the boundaries of the district; and~~

~~(c) The board of directors of the stadium authority determines that the proceeds of the taxes imposed by subsection 22 of section 13 SECTION 130 of this act are sufficient to establish a debt service coverage ratio of at least 1X.5 on securities issuedX, to defray in whole or in part the cost to acquire, construct, lease, improve, equip, operate and maintain a large events center stadium project, the board of county commissioners in which the district is located, acting by and through the at the request of the stadium authority, shall issue special obligations of the county in an amount not to exceed \$XXX,XXX,XXX payable solely from and secured solely by all or any portion of the proceeds of the taxes imposed by subsection 22 of SECTION 13 section 130 of this act. The securities authorized by this subsection must be issued pursuant to the Local Government Securities Law. The proceeds of any bonds issued pursuant to this subsection, after payment of the costs of issuing those bonds, and making provision for any required reserves, must be allocated to the stadium authority to be used for the stadium project.~~

2. If:

~~(a) Special obligations of the county are not issued pursuant to subsection SECTION 171;~~

~~(b) Within 24 months after the end of the period prescribed by SECTION 30 of this act notice has been provided pursuant to section 14(4) of this act, a university located within the district has secured a commitment of at least \$200,000,000 in private funding for the acquisition, construction, lease,~~

improvement, equipment, operation or maintenance of a football stadium within the boundaries of the district; and

(c) The stadium authority determines that the proceeds of the taxes imposed by subsection ~~22~~ of ~~SECTION 13~~ section 13 of this act are sufficient to establish a debt service coverage ratio of at least ~~X.X~~ at least 1.5x on securities issued to defray in whole or in part the cost to acquire, construct, lease, improve, equip, operate and maintain a football stadium, the stadium authority shall notify the State Board of Finance of those facts, and the stadium authority and the State Board of Finance shall determine the amount of financing necessary to acquire, construct, lease, improve, equip, operate or maintain a collegiate football stadium on the campus of the university. Upon a determination of the amount of such financing, to defray the cost to acquire, construct, lease, improve, equip, operate or maintain a collegiate football stadium on the campus of the university, the State Board of Finance shall issue special obligations of the State of Nevada in an amount not to exceed the amount of the determined to be necessary by the State Board of Finance and the stadium authority, payable solely from and secured solely by all or any portion of the proceeds of the taxes imposed by subsection ~~22~~ section 13 ~~SECTION 13~~ of this act. The provisions of the State Securities Law contained in chapter 349 of NRS apply to the issuance of securities pursuant to this subsection. The proceeds of any ~~bonds~~ securities issued pursuant to this subsection must be allocated to the stadium authority in such a manner as agreed to by the stadium authority and the State Board of Finance.

3. No new or additional city, county, or other local sales, use, or other tax shall be imposed on revenues related to the ~~large events center stadium project~~ or any NFL related events, including but not limited to taxes on the sales of tickets or admissions to NFL games or other NFL related events at the stadium.

~~SECTION 18~~ SECTION 18. 5 Chapter 278C of NRS is hereby amended by adding thereto the provisions set forth as ~~SECTION 207~~ and SECTION 20 ~~SECTION 218~~ of this act.

~~SECTION 19~~ SECTION 18. "Large events center Stadium project - project" means any enterprise to acquire, construct, improve, equip, operate or maintain, or any combination thereof, a large events center stadium project -to attract and retain large sports and entertainment events and such other projects, improvements or facilities necessary or desirable to the development of a large events center stadium project, including, without limitation, any practice facilities used by a professional sports team which uses the large events center stadium -for its home games, whether or not such practice facilities are contiguous with the large events center stadium.

~~SECTION 20.~~ SECTION 19. 1. ~~7A~~ A municipality may adopt an ordinance ordering an undertaking and creating the tax increment area and the tax increment account pertaining thereto pursuant to NRS 278C.220, which includes provisions:

(a) Designating a tax increment area comprising a specially benefitted zone within the municipality that may include land that is not contiguous; and

(b) For:

(1) The allocation of the proceeds of any tax on the sale or use of tangible personal property to the tax increment account of the proposed tax increment area pursuant to paragraph (b) of subsection 2 of NRS 278C.250;

(2) The allocation of the proceeds of any tax imposed pursuant to NRS 363A.130 and 363B.110 to the tax increment account of the proposed tax increment area pursuant to paragraph (c) of subsection 2 of NRS 278C.250; or

(3) The allocation of the proceeds of any tax imposed by NRS 368A.200 to the tax increment account of the proposed tax increment area pursuant to paragraph (d) of subsection 2 of NRS 278C.250; only for an undertaking that is a ~~large events center stadium project~~ project, and only after approval by the Interim Finance Committee of a written request submitted by the municipality.

2. A request submitted to the Interim Finance Committee pursuant to subsection 1 must include any information required by the Interim Finance Committee. The Interim Finance Committee may approve a request submitted pursuant to subsection 1 only if the Interim Finance Committee determines that approval of the request will not impede the ability of the Legislature to carry out its duty to provide for an annual tax sufficient to defray the estimated expenses of the State for each fiscal year as set forth in Article 9, Section 2 of the Nevada Constitution.

3. Money deposited in the tax increment account as described in paragraph (a) of subsection 1 of NRS 278C.250, subparagraph (2) of paragraph (d) of subsection 1 of NRS 278C.250, subparagraph (2) of paragraph (e) of subsection 1 of NRS 278C.250 and subparagraph (2) of paragraph (f) of subsection 1 of NRS 278C.250, must be paid by the municipality to the stadium authority for the municipality. In addition to being used to pay the bond requirements of loans, money advanced to, or indebtedness, whether funded, refunded, assumed or otherwise, incurred by the municipality to finance or refinance, in whole or in part, the undertaking, the stadium authority may use the money deposited in the tax increment account as described in subsection 2 of NRS 278C.250:

(a) To pay for the operation or administration of the stadium authority for the municipality pursuant to paragraph (b) of subsection ~~01~~ of ~~SECTION 15~~ section 15 of this act;

(b) To pay the capital costs of the undertaking directly pursuant to paragraphs (c) and (d) of subsection 1 of ~~section 15~~ SECTION 15 of this act;

(c) If a university that owns a ~~large events center stadium~~ is located within the municipality, to make payments to a university as required by paragraph (d) of subsection 1 of ~~section 15~~ SECTION 15 of this act; or

(d) To make payments to the police department of the municipality pursuant to paragraph (a) ~~(e)~~ of subsection 1 of ~~section 15~~ SECTION 15 of this act.

(e) To recruit, attract and retain large sports and entertainment events to be held at a ~~large events center stadium project~~ as required by paragraph (f) of subsection 1 of ~~SECTION 15~~ of this act.

~~SECTION 21~~ SECTION 20. 8 NRS 278C.130 is hereby amended to read as follows:

278C.130 "Tax increment area" means the area:

1. Whose boundaries are coterminous with those of a specially benefited zone established as provided in NRS 278C.150;
2. Specially benefited by an undertaking under this chapter;
3. Designated by ordinance as provided in NRS 278C.220; and
4. In which is located:

(a) The taxable property the assessed valuation of which is the basis for the allocation of tax proceeds to the tax increment account pursuant to paragraph (a) of subsection 1 of NRS 278C.250; and

(b) If the undertaking is a natural resources project or a rail project for which the municipality has received approval from the Interim Finance Committee pursuant to NRS 278C.157:

(1) The persons from which the tax on the sale or use of tangible personal property is the basis for the allocation of tax proceeds to the tax increment account pursuant to paragraph (b) of subsection 1 of NRS 278C.250; and

(2) The employers from which the tax imposed pursuant to NRS 363A.130 and 363B.110 is the basis for the allocation of tax proceeds to the tax increment account pursuant to paragraph (c) of subsection 1 of NRS 278C.250.

(c) *If the undertaking is a ~~large events center stadium project project~~ for which the municipality has received approval from the Interim Finance Committee pursuant to ~~SECTION 20~~ section 19 of this act:*

(1) *The persons from which the tax on the sale or use of tangible personal property is the basis for the allocation of tax proceeds to the tax increment account pursuant to paragraph (d) of subsection 1 of NRS 278C.250;*

(2) *The employers from which the tax imposed pursuant to NRS 363A.130 and 363B.110 is the basis for the allocation of tax proceeds to the tax increment account pursuant to paragraph (e) of subsection 1 of NRS 278C.250; and*

(3) *The facility where live entertainment is provided from which the tax imposed by NRS 368A.200 is the basis for the allocation of tax proceeds to the tax increment account pursuant to paragraph (f) of subsection 1 of NRS 278C.250.*

~~SECTION 22.~~ SECTION 21. ~~19~~ NRS 278C.140 is hereby amended to read as follows:

278C.140 "Undertaking" means any enterprise to acquire, improve or equip, or any combination thereof:

1. In the case of counties:

(a) A drainage and flood control project, as defined in NRS 244A.027;

(b) An overpass project, as defined in NRS 244A.037;

(c) A sewerage project, as defined in NRS 244A.0505;

(d) A street project, as defined in NRS 244A.053;

(e) An underpass project, as defined in NRS 244A.055; ~~or~~

(f) A water project, as defined in NRS 244A.056; ~~or~~

(g) A ~~large events center stadium project project~~, as defined by SECTION 18 ~~SECTION 19~~ of this act.

2. In the case of cities:

(a) A drainage project or flood control project, as defined in NRS 268.682;

(b) An overpass project, as defined in NRS 268.700;

(c) A sewerage project, as defined in NRS 268.714;

(d) A street project, as defined in NRS 268.722;

(e) An underpass project, as defined in NRS 268.726; ~~or~~

(f) A water project, as defined in NRS 268.728; ~~or~~

(g) A ~~large events center stadium project project~~, as defined by SECTION 19 ~~SECTION 18~~ 1818 of this act.

3. In the case of a city with respect to any tax increment area created pursuant to a cooperative agreement between the city and the Nevada System of Higher Education pursuant to NRS 278C.155, in addition to the projects described in subsection 2:

(a) A project for any other infrastructure necessary or desirable for the principal campus of the Nevada State College that is approved by the Board of Regents of the University of Nevada; or

(b) An educational facility or other capital project for the principal campus of the Nevada State College that is owned by the Nevada System of Higher Education and approved by the Board of Regents of the University of Nevada.

4. In the case of a county or city with respect to any tax increment area created by an ordinance adopted pursuant to NRS 278C.157, in addition to the projects described in subsections 1 and 2:

(a) A natural resources project; or

(b) A rail project.

5. *In the case of a municipality with respect to any tax increment area created by an ordinance adopted pursuant to SECTION 20 of this act, in addition to the projects described in subsections 1 and 2, a ~~large events center stadium project project.~~*

~~SECTION 23.~~ SECTION 22. ~~20~~NRS 278C.160 is hereby amended to read as follows:

1. Whenever the governing body of a municipality is of the opinion that the interests of the municipality and the public require an undertaking, the governing body, by resolution, shall direct the engineer to prepare:

(a) Preliminary plans and a preliminary estimate of the cost of the undertaking, including, without limitation, all estimated financing costs to be capitalized with the proceeds of the securities issued by the municipality and all other estimated incidental costs relating to the undertaking;

(b) A statement of the proposed tax increment area pertaining thereto, including:

(1) The last finalized amount of the assessed valuation of the taxable property in such area, and the amount of taxes, including in such amount the sum of any unpaid taxes, whether or not delinquent, resulting from the last taxation of the property, based upon the records of the county assessor and the county treasurer; and

(2) If the undertaking is a natural resources project or a rail project for which the municipality has received approval from the Interim Finance Committee pursuant to NRS 278C.157:

(I) The total amount of taxes imposed on the sale or use of tangible personal property in such area in the immediately preceding fiscal year, based upon the records of the Department of Taxation; and

(II) The total amount of taxes imposed pursuant to NRS 363A.130 and 363B.110 on employers in such area in the immediately preceding fiscal year, based upon the records of the Department of Taxation;

~~and~~

(c) If the undertaking is a ~~large events center stadium project project~~ for which the municipality has received approval from the Interim Finance Committee pursuant to ~~SECTION 20~~ section 19 of this act:

(1) The total amount of taxes imposed on the sale or use of tangible personal property in such area in the immediately preceding fiscal year, based upon the records of the Department of Taxation;

(2) The total amount of taxes imposed pursuant to NRS 363A.130 and 363B.110 on employers in such area in the immediately preceding fiscal year, based upon the records of the Department of Taxation; and

(3) The total amount of taxes imposed by NRS 368A.200 on admission to facilities in such area where live entertainment is provided in the immediately preceding fiscal year, based upon the records of the Department of Taxation or Nevada Gaming Control Board, as applicable.

(d) A statement of the estimated amount of the tax proceeds to be credited annually to the tax increment account during the term of the proposed securities payable therefrom.

2. The resolution must describe the undertaking in general terms and must state:

(a) What portion of the expense of the undertaking will be paid with the proceeds of securities or other allowable borrowing instruments issued by the municipality in anticipation of tax proceeds to be credited to the tax increment account and payable wholly or in part therefrom;

(b) How the remaining portion of the expense of the undertaking, if any, is to be financed; and

(c) The basic security and any additional security for the payment of securities or other allowable borrowing instruments of the municipality pertaining to the undertaking.

3. The resolution must designate the tax increment area or its location, so that the various tracts of taxable real property, any taxable personal property and the locations of any retailers-, ~~and~~ employers *and facilities where live entertainment is provided* can be identified and determined to be within or

without the proposed tax increment area, but need not describe in minute detail each tract of real property proposed to be included within the tax increment area.

4. The engineer shall file with the clerk the preliminary plans, estimate of costs and statements.
5. Upon the filing of the preliminary plans, estimate of costs and statements with the clerk, the governing body shall examine the preliminary plans, estimate of costs and statements, and if the governing body approves of the preliminary plans, estimate of costs and statements, it shall by resolution provisionally order the undertaking.

~~SECTION 24.~~ **SECTION 23.** ~~1~~NRS 278C.170 is hereby amended to read as follows:
278C.170

1. In the resolution making the provisional order, the governing body shall set a time and place for a meeting to consider the ordering of the undertaking and hear all complaints, protests, objections and other relevant comments concerning the undertaking that are made in accordance with subsection 2. The time for the meeting must be at least 20 days after the date the governing body adopts the resolution that provisionally orders the undertaking.

2. The Federal Government, the State, any public body, any natural person who resides in the municipality or owns taxable personal or real property in the municipality, any retailer ~~or~~ employer ~~or~~ *or facility where live entertainment is provided*, if applicable, that is located within the proposed tax increment area pertaining to the undertaking, or any representative of any such natural person ~~or~~ entity ~~or~~ *or facility*, may submit a complaint, protest, objection or other comment about the undertaking before the governing body. If such an entity or person desires to submit a complaint, protest, objection or other comment about the undertaking for consideration by the governing body, the entity or person must:

(a) File a written complaint, protest, objection or other comment about the undertaking with the clerk at least 3 days before the date of the meeting described in subsection 1;

(b) Present an oral complaint, protest, objection or other comment about the undertaking to the governing body at the meeting described in subsection 1; or

(c) Present the complaint, protest, objection or other comment in the manner required pursuant to paragraphs (a) and (b).

3. Notice of the meeting described in subsection 1 must be given:

(a) To all persons on the list established pursuant to NRS 278C.180, by mailing;

(b) By posting; and

(c) By publication.

4. The notice must:

(a) Describe the undertaking and the project or projects relating thereto without mentioning minor details or incidentals;

(b) State the preliminary estimate of the cost of the undertaking, including all incidental costs, as stated in the preliminary plans, estimate of costs and statements of the engineer filed with the clerk pursuant to NRS 278C.160;

(c) Describe the proposed tax increment area pertaining to the undertaking, including:

(1) The last finalized amount of the assessed valuation of the taxable property in the area, and the amount of taxes, including in such amount the sum of any unpaid taxes, whether or not delinquent, resulting from the last taxation of the property, based upon the records of the county assessor and the county treasurer; and

(2) If the undertaking is a natural resources project or a rail project for which the municipality has received approval from the Interim Finance Committee pursuant to NRS 278C.157:

- (I) The total amount of taxes imposed on the sale or use of tangible personal property in the area in the immediately preceding fiscal year, based upon the records of the Department of Taxation; and
- (II) The total amount of taxes imposed pursuant to NRS 363A.130 and 363B.110 on employers in the area in the immediately preceding fiscal year, based upon the records of the Department of Taxation;
- (3) If the undertaking is a ~~large events center~~ stadium project project for which the municipality has received approval from the Interim Finance Committee pursuant to section 19 SECTION 20 of this act:**
- (I) *The total amount of taxes imposed on the sale or use of tangible personal property in the area in the immediately preceding fiscal year, based upon the records of the Department of Taxation;*
- (II) *The total amount of taxes imposed pursuant to NRS 363A.130 and 363B.110 on employers in the area in the immediately preceding fiscal year, based upon the records of the Department of Taxation; and*
- (III) *The total amount of taxes imposed by NRS 368A.200 on employers in the area in the immediately preceding fiscal year, based upon the records of the Department of Taxation or Nevada Gaming Control Board, as applicable;*
- (d) State what portion of the expense of the undertaking will be paid with the proceeds of securities or other allowable borrowing instruments issued by the municipality in anticipation of tax proceeds to be credited to the tax increment account and payable wholly or in part therefrom, and state the basic security and any additional security for the payment of securities or other allowable borrowing instruments of the municipality pertaining to the undertaking;
- (e) State how the remaining portion of the expense, if any, is to be financed;
- (f) State the estimated amount of the tax proceeds to be credited annually to the tax increment account pertaining to the undertaking during the term of the proposed securities or other allowable borrowing instruments payable from such proceeds, and the estimated amount of any net revenues derived annually from the operation of the project or projects pertaining to the undertaking and pledged for the payment of those securities or other allowable borrowing instruments;
- (g) State the estimated aggregate principal amount to be borrowed by the issuance of the securities or other allowable borrowing instruments, excluding proceeds thereof to fund or refund outstanding securities, and the estimated total bond requirements of the securities or other allowable borrowing instruments;
- (h) Find, determine and declare that the estimated tax proceeds to be credited to the tax increment account and any such net pledged revenues will be fully sufficient to pay the bond requirements of the securities or other allowable borrowing instruments as they become due; and
- (i) State the date, time and place of the meeting described in subsection 1.
5. All proceedings may be modified or rescinded wholly or in part by resolution adopted by the governing body at any time before the governing body passes the ordinance ordering the undertaking and creating the tax increment area and the tax increment account pertaining thereto pursuant to NRS 278C.220.
6. Except as otherwise provided in this section, a public body shall not make a substantial change in the undertaking, the preliminary estimates, the proposed tax increment area or other statements relating thereto after the first publication or posting of notice or after the first mailing of notice to the property owners, whichever occurs first, without additional notice and a hearing pursuant to this section. A public body may delete a portion of the undertaking and property from the proposed tax increment area without notice and a hearing pursuant to this section. A subsequent final determination of the amount of assessed valuation of taxable property in the tax increment area or a subsequent levy or imposition of taxes does not adversely affect proceedings taken pursuant to this chapter.

7. The engineer may make minor changes in and develop the undertaking as to the time, plans and materials entering into the undertaking at any time before its completion. Any minor changes authorized by this subsection must be made a matter of public record at a public meeting of the governing body.

~~SECTION 25.~~SECTION 24. NRS 278C.180 is hereby amended to read as follows:

1. The governing body shall cause to be created a list of the names and addresses of all:

(a) Persons who reside within a proposed tax increment area and who own taxable property within a proposed tax increment area; ~~and~~

(b) If the undertaking is a natural resources project or a rail project for which the municipality has received approval from the Interim Finance Committee pursuant to NRS 278C.157:

(1) Retailers located within a proposed tax increment area; and

(2) Employers located within a proposed tax increment area ~~and~~;

(c) If the undertaking is a ~~large events center~~ stadium project project for which the municipality has received approval from the Interim Finance Committee pursuant to ~~SECTION 20~~section 19 -of this act:

(1) Retailers located within a proposed tax increment area;

(2) Employers located within a proposed tax increment area; and

(3) Owners or operators of facilities where live entertainment is provided that is located within a proposed tax increment area.

The names and addresses for the list may be obtained from the records of the county assessor, the Department of Taxation, *the Nevada Gaming Control Board* or from such other sources as the clerk or the engineer deems available. A list of such names and addresses pertaining to any tax increment area may be revised from time to time, but must be revised at least once every 12 months if the list is needed for a period longer than 12 months.

2. If notice is required to be mailed pursuant to this chapter, the notice must be sent by prepaid, first-class mail, to the last known address of the person to whom the notice is being sent.

3. The mailing of any notice required in this chapter must be verified by the affidavit or certificate of the engineer, clerk, deputy or other person mailing the notice. Each verification of mailing must be filed with the clerk and be retained in the records of the municipality at least until all bonds and any other securities pertaining to a tax increment account have been paid in full, or any claim is barred by a statute of limitations.

4. A verification of mailing is prima facie evidence of the mailing of the notice in accordance with the requirements of this section.

~~SECTION 26.~~SECTION 25. NRS 278C.250 is hereby amended to read as follows:

1. After the effective date of the ordinance adopted pursuant to NRS 278C.220:

(a) Any taxes levied upon taxable property in the tax increment area each year by or for the benefit of the State, the municipality and any public body must be divided as follows:

(1) That portion of the taxes that would be produced by the rate upon which the tax is levied each year by or for each of those taxing agencies upon the total sum of the assessed value of the taxable property in the tax increment area as shown upon the last equalized assessment roll used in connection with the taxation of the property by the taxing agency, must be allocated to and when collected must be paid into the funds of the respective taxing agencies as taxes by or for the taxing agencies on all other property are paid.

(2) Except as otherwise provided in this section, the portion of the taxes levied each year in excess of the amount determined pursuant to subparagraph (1) must be allocated to, and when collected must be

paid into, the tax increment account pertaining to the undertaking to pay the bond requirements of loans, money advanced to, or indebtedness, whether funded, refunded, assumed or otherwise, incurred by the municipality to finance or refinance, in whole or in part, the undertaking ~~or if the undertaking is a large events center stadium project project for the purposes set forth in subsection 1 of SECTION 20 of this act.~~ Unless the total assessed valuation of the taxable property in the tax increment area exceeds the total assessed value of the taxable property in the area as shown by the last equalized assessment roll referred to in this subsection, all of the taxes levied and collected upon the taxable property in the area must be paid into the funds of the respective taxing agencies. When the loans, advances and indebtedness, if any, and interest thereon, have been paid, ~~or, or, if the undertaking is a large events center stadium project project,~~ the tax increment area has expired, all money thereafter received from taxes upon the taxable property in the tax increment area must be paid into the funds of the respective taxing agencies as taxes on all other property are paid.

(b) If the undertaking is a natural resources project or a rail project for which the municipality has received approval from the Interim Finance Committee pursuant to NRS 278C.157, any taxes levied upon the sale or use of tangible personal property in the tax increment area each year by or for the benefit of the State, the municipality and any public body must be divided as follows:

(1) That portion of the taxes that would be produced by the rate upon which the tax is levied each year by or for each of those taxing agencies upon the total sum of the sales and use of tangible personal property in the tax increment area in the fiscal year immediately preceding the effective date of the ordinance adopted pursuant to NRS 278C.220, must be allocated to and when collected must be paid into the funds of the respective taxing agencies as taxes by or for the taxing agencies on all other sales of tangible personal property are paid.

(2) Except as otherwise provided in this section, of the portion of the taxes levied each year in excess of the amount determined pursuant to subparagraph (1), 50 percent of that amount must be allocated to, and when collected must be paid into the tax increment account pertaining to the undertaking to pay the bond requirements of loans, money advanced to, or indebtedness, whether funded, refunded, assumed or otherwise, incurred by the municipality to finance or refinance, in whole or in part, the undertaking. The remaining 50 percent of that amount must be allocated to and when collected must be paid into the funds of the respective taxing agencies as taxes by or for the taxing agencies on all other sales of tangible personal property are paid. Unless the total amount of the taxes imposed on the sale and use of tangible personal property in the tax increment area exceeds the total amount of the taxes imposed on the sale and use of tangible personal property in the tax increment area in the fiscal year immediately preceding the effective date of the ordinance adopted pursuant to NRS 278C.220, all of the taxes levied and collected upon the sale or use of tangible personal property in the tax increment area must be paid into the funds of the respective taxing agencies. When the loans, advances and indebtedness, if any, and interest thereon, have been paid, all money thereafter received from taxes upon the sale or use of tangible personal property in the tax increment area must be paid into the funds of the respective taxing agencies as taxes on all other taxes on the sale or use of tangible personal property are paid.

(c) If the undertaking is a natural resources project or a rail project for which the municipality has received approval from the Interim Finance Committee pursuant to NRS 278C.157, any taxes imposed pursuant to NRS 363A.130 or 363B.110 on employers located in the tax increment area must be divided as follows:

(1) That portion of the taxes that would be produced by the rate upon which the tax is imposed each year by the Department of Taxation in the fiscal year immediately preceding the effective date of the ordinance adopted pursuant to NRS 278C.220, must be allocated to and when collected must be paid to

the Department of Taxation as all other taxes imposed pursuant to NRS 363A.130 and 363B.110 are paid.

(2) Except as otherwise provided in this section, of the portion of the taxes imposed each year in excess of the amount determined pursuant to subparagraph (1), 50 percent of that amount must be allocated to, and when collected must be paid into, the tax increment account pertaining to the undertaking to pay the bond requirements of loans, money advanced to, or indebtedness, whether funded, refunded, assumed or otherwise, incurred by the municipality to finance or refinance, in whole or in part, the undertaking. The remaining 50 percent of that amount must be allocated to and when collected must be paid to the Department of Taxation as all other taxes imposed pursuant to NRS 363A.130 and 363B.110 are paid. Unless the total amount of the taxes imposed pursuant to NRS 363A.130 and 363B.110 on employers located in the tax increment area exceeds the total amount of the taxes imposed on employers located in the tax increment area in the fiscal year immediately preceding the effective date of the ordinance adopted pursuant to NRS 278C.220, all of the taxes imposed on employers located in the tax increment area must be paid to the Department of Taxation. When the loans, advances and indebtedness, if any, and interest thereon, have been paid, all money thereafter received from taxes imposed pursuant to NRS 363A.130 or 363B.110 on employers located in the tax increment area must be paid to the Department of Taxation as all other taxes imposed pursuant to NRS 363A.130 and 363B.110 are paid.

(d) *If the undertaking is a ~~large events center~~ stadium project project for which the municipality has received approval from the Interim Finance Committee pursuant to ~~section 19~~ SECTION 20 of this act, any taxes levied upon the sale or use of tangible personal property in the tax increment area each year by or for the benefit of the State, the municipality and any public body must be divided as follows:*

(1) That portion of the taxes that would be produced by the rate upon which the tax is levied each year by or for each of those taxing agencies upon the total sum of the sales and use of tangible personal property in the tax increment area in the fiscal year immediately preceding the effective date of the ordinance adopted pursuant to NRS 278C.220, must be allocated to and when collected must be paid into the funds of the respective taxing agencies as taxes by or for the taxing agencies on all other sales of tangible personal property are paid.

(2) Except as otherwise provided in this section, the portion of the taxes levied each year in excess of the amount determined pursuant to subparagraph (1) must be allocated to, and when collected must be paid into the tax increment account pertaining to the undertaking for the purposes set forth in subsection 3 of Section 20 of this act. Unless the total amount of the taxes imposed on the sale and use of tangible personal property in the tax increment area exceeds the total amount of the taxes imposed on the sale and use of tangible personal property in the tax increment area in the fiscal year immediately preceding the effective date of the ordinance adopted pursuant to NRS 278C.220, all of the taxes levied and collected upon the sale or use of tangible personal property in the tax increment area must be paid into the funds of the respective taxing agencies.

(e) *If the undertaking is a ~~large events center~~ stadium project project for which the municipality has received approval from the Interim Finance Committee pursuant to Section 20 of this act, any taxes imposed pursuant to NRS 363A.130 or 363B.110 on employers located in the tax increment area must be divided as follows:*

(1) That portion of the taxes that would be produced by the rate upon which the tax is imposed each year by the Department of Taxation in the fiscal year immediately preceding the effective date of the ordinance adopted pursuant to NRS 278C.220, must be allocated to and when collected must be paid

to the Department of Taxation as all other taxes imposed pursuant to NRS 363A.130 and 363B.110 are paid.

(2) Except as otherwise provided in this section, the taxes imposed each year in excess of the amount determined pursuant to subparagraph (1) must be allocated to, and when collected must be paid into, the tax increment account pertaining to the undertaking for the purposes set forth in subsection 3 of Section 20 of this act. Unless the total amount of the taxes imposed pursuant to NRS 363A.130 and 363B.110 on employers located in the tax increment area exceeds the total amount of the taxes imposed on employers located in the tax increment area in the fiscal year immediately preceding the effective date of the ordinance adopted pursuant to NRS 278C.220, all of the taxes imposed on employers located in the tax increment area must be paid to the Department of Taxation.

(f) If the undertaking is a ~~large events center~~ stadium project project for which the municipality has received approval from the Interim Finance Committee pursuant to ~~SECTION 20~~ of this act, any taxes imposed by NRS 368A.200 on admission to a facility in the tax increment area where live entertainment is provided must be divided as follows:

(1) That portion of the taxes that would be produced by the rate upon which the tax is imposed each year by the Department of Taxation in the fiscal year immediately preceding the effective date of the ordinance adopted pursuant to NRS 278C.220, must be allocated to and when collected must be paid to the Department of Taxation as all other taxes imposed by NRS 368A.200 are paid.

(2) Except as otherwise provided in this section, the portion of the taxes imposed each year in excess of the amount determined pursuant to subparagraph (1) must be allocated to, and when collected must be paid into, the tax increment account pertaining to the undertaking for the purposes set forth in subsection 3 of Section 20 of this act. Unless the total amount of the taxes imposed by NRS 368A.200 on admission to a facility located in the tax increment area where live entertainment is provided exceeds the total amount of the taxes imposed on admission to a facility located in the tax increment area where live entertainment is provided in the fiscal year immediately preceding the effective date of the ordinance adopted pursuant to NRS 278C.220, all of the taxes imposed on admission to a facility located in the tax increment area where live entertainment is provided must be paid to the Department of Taxation.

2. Except as otherwise provided in subsection 2 of NRS 360.991, the amount of the taxes levied each year which are paid into the tax increment account pursuant to subparagraph (2) of paragraph (a) of subsection 1, subparagraph (2) of paragraph (b) of subsection 1 and subparagraph (2) of paragraph (c) of subsection 1 must be limited by the governing body to an amount not to exceed the combined total amount required for annual debt service of or any outstanding advances of money or unfunded costs associated with the project or projects acquired, improved or equipped, or any combination thereof, as part of the undertaking.

3. Any revenues generated within the tax increment area in excess of the amount referenced in subsection 2, if any, will be paid into the funds of the respective taxing agencies in the same proportion as their base amount was distributed.

4. Except as otherwise provided in this subsection, in any fiscal year, the total revenue paid to a tax increment area pursuant to subparagraph (2) of paragraph (a) of subsection 1 in combination with the total revenue paid to any other tax increment areas and any redevelopment agencies of a municipality, other than any revenues paid to any other tax increment areas pursuant to subparagraph (2) of paragraph (b) of subsection 1, ~~and~~ subparagraph (2) of paragraph (c) of subsection 1, *subparagraph (2) of paragraph (d) of subsection 1, subparagraph (2) of paragraph (e) of subsection 1 and subparagraph (2) of paragraph (f) of subsection 1*, must not exceed:

(a) In a county whose population is 100,000 or more or a city whose population is 150,000 or more, an amount equal to the combined tax rates of the taxing agencies for that fiscal year multiplied by 10 percent of the total assessed valuation of the municipality.

(b) In a county whose population is less than 100,000 or a city whose population is less than 150,000, an amount equal to the combined tax rates of the taxing agencies for that fiscal year multiplied by 15 percent of the total assessed valuation of the municipality.

Notwithstanding the provisions of this subsection, if a county has a population of less than 100,000 or if a city has a population of less than 150,000 at the time the municipality issues securities for a tax increment area pursuant to NRS 278C.280, the revenue limitation set forth in paragraph (b) must remain the revenue limitation for the tax increment area until such time as the securities issued for that tax increment area pursuant to NRS 278C.280 have been paid in full, including any securities issued to refund those securities, regardless of whether the population of the municipality reaches or exceeds 100,000 after the issuance of those securities.

5. If the revenue paid to a tax increment area must be limited pursuant to paragraph (a) or (b) of subsection 4 and the municipality has more than one redevelopment agency or tax increment area, or one of each, the municipality shall determine the allocation to each agency and area. Any revenue that would be allocated to a tax increment area but for the provisions of this section must be paid into the funds of the respective taxing agencies.

6. The portion of the taxes levied each year in excess of the amount determined pursuant to subparagraph (1) of paragraph (a) of subsection 1 which is attributable to any tax rate levied by a taxing agency:

(a) To produce revenue in an amount sufficient to make annual repayments of the principal of, and the interest on, any bonded indebtedness that was approved by a majority of the registered voters within the area of the taxing agency voting upon the question, must be allocated to, and when collected must be paid into, the debt service fund of that taxing agency.

(b) In excess of any tax rate of that taxing agency applicable to the last taxation of the property before the effective date of the ordinance, if that additional rate was approved by a majority of the registered voters within the area of the taxing agency voting upon the question, must be allocated to, and when collected must be paid into, the appropriate fund of that taxing agency.

(c) Pursuant to NRS 387.3285 or 387.3287, if that rate was approved by a majority of the registered voters within the area of the taxing agency voting upon the question, must be allocated to, and when collected must be paid into, the appropriate fund of that taxing agency.

(d) For the support of the public schools within a county school district pursuant to NRS 387.195, must be allocated to, and when collected must be paid into, the appropriate fund of that taxing agency.

7. The provisions of paragraph (a) of subsection 6 include, without limitation, a tax rate approved for bonds of a county school district issued pursuant to NRS 350.020, including, without limitation, amounts necessary for a reserve account in the debt service fund.

8. As used in this section, the term "last equalized assessment roll" means the assessment roll in existence on the 15th day of March immediately preceding the effective date of the ordinance.

~~SECTION 27.~~ ~~SECTION 26.~~ ~~4~~Section 1 of chapter 582, Statutes of Nevada 1977, at page 1531, is hereby amended to read as follows:

SECTION 1. Definitions. As used in this act, unless the context otherwise requires:

1. "Authority" means the Clark County Fair and Recreation Board, designated by resolution pursuant to NRS 244.654 as the Las Vegas Convention and Visitors Authority ~~or the~~ ~~s~~Stadium ~~a~~Authority, appointed pursuant to ~~section 7~~ ~~SECTION 7~~ of this act.

2. "County" means Clark County, Nevada.
3. Other words and terms defined in the Local Government Securities Law have the meanings ascribed to them in that law.

SECTION 28. 1. If the county deems it necessary or desirable to expand the boundaries of the tax increment area created pursuant to section 19 of this act, it must adopt a resolution describing the area proposed to be added to the tax increment area, so that the various tracts of real property may be identified and determined to be within or without the proposed addition to the tax increment area, except that the description need not describe in minute detail each tract of real property proposed to be added to the tax increment area.

2. If the county determines to:

(a) Expand the boundaries of the tax increment area in accordance with the description set forth in a resolution adopted pursuant to subsection 1, the county must, at any meeting of the board of county commissioners held within 1 year after the meeting at which the board adopted that resolution, adopt a resolution adding the described area to the tax increment area; or

(b) Revise the description of the area proposed to be added to the tax increment area set forth in a resolution adopted pursuant to subsection 1, the county must adopt another resolution pursuant to subsection 1 which sets forth the revised description of the proposed addition and supersedes the previous resolution.

3. The county may add property to the tax increment area only if the property is not included in any tax increment or tourism improvement district that pre-existed the creation of the tax increment area that is being expanded.

4. No land may be removed from the tax increment area.

5. Any decision to add any land to the tax increment area pursuant to this section is in the sole discretion of the Board of County Commissioners and must not be delegated, by contract or otherwise, to any other entity.

~~SECTION 28. 6. Any person or other entity may, within 30 days after the County adopts a resolution pursuant to paragraph (a) of subsection 2 expanding the boundaries of the tax increment area, commence an action in a court of competent jurisdiction to correct or set aside that expansion on the ground that the County acted in violation of this act, but not for any other reason. After the expiration of that 30-day period, all actions attacking the validity of the proceedings expanding the boundaries of the tax increment area are perpetually barred.~~ SECTION 13 of this act is hereby amended to read as follows:

~~1. In each county whose population is 700,000 or more, there is hereby created a district for the promotion of a large events center stadium project consisting of all property that is within the county and within each city in the county and that is located within a radius of 25 miles from the center of the location or proposed location of a large events center stadium project built or to be built in the county.~~

~~2. There is hereby imposed a tax at the rate of:~~

~~(a) Three [fourths] eighths of one percent of the gross receipts from the rental of transient lodging in a gaming corridor within the district.~~

~~One [half] quarter of one percent of the gross receipts from the rental of transient lodging in areas within the district but outside of a gaming corridor.~~

~~2. There is hereby imposed a tax at the rate of:
(a) Seven tenths of one percent of the gross receipts from the rental of transient lodging in a gaming corridor within the district.~~

~~3. (b) One half of one percent of one percent of the gross receipts from the rental of transient lodging in areas within the district but outside of a gaming area. The tax imposed by subsection 2 may be shown as an addition to the charge for the rental of transient lodging. The person providing the transient lodging is liable to the county in which the district is located for the tax whether or not it is actually collected from a paying guest.~~

~~4. The taxes imposed by subsection 2 must:~~

~~(a) Be in addition to all other taxes imposed on the revenue from the rental of transient lodging in the district;~~

~~(b) Be collected and enforced in the same manner as any other tax imposed in the county on the gross receipts from the rental of transient lodging; and~~

~~(c) Be distributed to the stadium authority, which shall use the proceeds of the taxes in the manner set forth in SECTION 14 of this act.~~

~~5. As used in this section:~~

~~(a) "Gaming corridor" (define boundaries of area in which 0.375% rate will be imposed).~~

~~(b) "Gross receipts from the rental of transient lodging" does not include the tax imposed or collected from paying guests pursuant to this section.~~

SECTION 29. 1.(c)6 For the district created by ~~SECTION 13~~section 13 of this act for Clark County:

(a) The Governor shall, on or before ~~September~~January 1, 2017, appoint the three members of the ~~s~~Stadium A authority pursuant to paragraph ~~(a)~~(a) of subsection 1 ~~or SECTION 7~~section 7 of this act to initial terms that, for two of the appointees, commences ~~on September 1, 2016~~January 1, 2017, and expires ~~on September~~December 31, 2018, and for the third appointee commences on ~~September 1~~January 1, 2016, and expires on ~~September 30~~December 31, 2017; and

~~(d)~~(b) The Board of County Commissioners of Clark County shall, on or before ~~September 1, 2016~~January 1, 2017 appoint two members of the stadium authority pursuant to paragraph (b) of subsection 1 of ~~SECTION 4~~section 7 of this act to an initial term that, for one appointee commences on January 1, 2017~~September 1, 2016~~, and expires on ~~September 30, 2018~~December 31, 2018, and for the second appointee commences on January 1, 2017~~September 1, 2016~~, and expires on ~~September 30~~December 31, 2017; and

~~(e)~~(c) ~~The D~~development partners ~~Partners~~Stadium Events Company shall within 30 days after the effective date of the development agreement, operating agreement and any other contracts and agreements between Stadium Events Company and the stadium authority entered into pursuant to section 11 of this act, on or before September 1, 2016 appoint two members of the stadium authority pursuant to paragraph (c) of subsection 1 of section 74 of this act to an initial term that, for one appointee, will commence immediately upon appointment and will expire 12 months from the date of appointment, and, for the second appointee, will commence immediately upon appointment and will expire 24 months from the date of appointment~~commences on September 1, 2016, and expires on September 30, 2018, and for the second appointee commences on September 1, 2016, and expires on September 30, 2017.~~

~~6.4.~~ The stadium authority appointed pursuant to this section shall hold an organizational meeting during ~~September of 2016~~January 2017. At that meeting, the stadium authority shall elect:

(a) One of its members as Vice Chair; and

(b) A Secretary and Treasurer.

SECTION 30. 1. The NFL Team and the developer partners shall have six months from the effective date of the act as set forth in subparagraph (1) of section 31 to secure the rights to locate or relocate an NFL franchise into the district created pursuant to section 13 of this act.

(a) The stadium authority board shall have the ability to grant one, six-month extension to the established timeline for securing the rights to locate or relocate an NFL franchise into the district.

2. Once the rights to locate or relocate an NFL franchise have been secured pursuant to subsection (1), the developer partners and the NFL Team shall have six months to form the Stadium Events Company and to enter into all required contracts and agreements with the stadium authority.

(a) The stadium authority board shall have the ability to grant one, six-month extension to the timeline established for forming the Stadium Events Company and entering into all required contracts and agreements with the stadium authority.

~~(b)~~

~~SECTION 30.~~ SECTION 31. 1. SECTION 1 to SECTION 19 section 174, inclusive, and section 29 SECTION 294 of this act become effective on January 1, 2017 upon passage and approval of this act, and expire by limitation:

(a) If special obligations of the county or the State of Nevada are issued pursuant to ~~SECTION 17~~ section 175 of this act, on the date on which those obligations are fully paid.

(b) If special obligations of the county or the State of Nevada are not issued pursuant to ~~SECTION 17~~ section 175 ~~Error! Reference source not found.~~ of this act, on the date which is 24 months after the end of the period prescribed by ~~SECTION 30~~ section 30 of this act.

2. Sections ~~SECTION 19~~ 185 to ~~SECTION 27~~ section 283, inclusive, of this act become effective on January 1, 2017.

~~3. SECTION 285 of this act:~~

~~(a) Becomes effective on the date on which the board of directors of the stadium authority determines that, within the period prescribed pursuant to SECTION 30 of this act, the a National Football League franchise has not committed to allow the location or relocation of a professional football team within the boundaries of the district or that football team has not entered into a contract to locate or relocate the team within the boundaries of the district; and~~

~~(b) Expires by limitation on the date which is 24 months after the end of the period prescribed by SECTION 30 of this act.~~