

Gross Receipts/Other Miscellaneous:

Nevada: Press Release Says First Round of Modified Business Tax Refunds Have Been Distributed

Press Release: First Round of Modified Business Tax Refunds Have Been Sent Out, Nev. Dept. of Tax. (8/17/21). The Nevada Department of Taxation (Department) issued a press release referencing the Nevada Supreme Court's decision from earlier this year [see Case No. 81924 (*137 Nev., Advance Opinion 21*), Nev. (5/13/21) and *State Tax Matters*, Issue 2021-20 and *State Tax Matters*, Issue 2021-24, for more details on this case and the underlying MBT refunds] – which held that certain Nevada modified business tax (MBT)-related sections of legislation enacted in 2019 must be invalidated for lack of supporting votes of two-thirds of the Nevada Senate and thus any resulting overpayments of the Nevada MBT must be refunded with interest – and announcing that it “has sent out the first round of refund checks.” According to the Department, a total of \$30.6 million, which includes interest, was refunded to 22,621 taxpayers who paid the tax at a rate higher than the statutory requirement.

URL: <https://tax.nv.gov/uploadedFiles/taxnvgov/Content/Home/Features/PressReleaseAug17.pdf>

URL:
<http://caseinfo.nvsupremecourt.us/document/view.do?csNameID=60081&csIID=60081&deLinkID=816081&onBaseDocumentNumber=21-13709>

URL: https://dhub.blob.core.windows.net/dhub/Newsletters/Tax/2021/STM/210521_12.html

URL: https://dhub.blob.core.windows.net/dhub/Newsletters/Tax/2021/STM/210618_9.html

To refund further amounts “without delay,” the Department suggests that impacted taxpayers bring their respective accounts “up-to-date” by taking the following action(s):

- Taxpayers who have any delinquent Nevada tax returns, including sales/use tax, modified business tax, commerce tax, or excise tax are encouraged to file the return(s) by US Mail or online, as “all delinquent tax returns must be filed before the refund amount can be issued;”
- Verify the Department has a valid mailing address as the refund “cannot be mailed to an invalid mailing address;” and
- In accordance with Nevada law, if a taxpayer has any debt on its account, the credit must be first used to satisfy the debt before any amounts can be refunded.

The Department also states that the next round of refunds “is scheduled for September.” Please contact us with any questions.

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