



# NEVADA BANKERS ASSOCIATION

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**Nevada Bankers Association  
SB 483 Workshop**

Nevada Bankers Association respectfully submits the following comments regarding the proposed commerce tax regulation LCB File no. R123-15

## Section 10

Number 24 b currently reads, "Revenue from the servicing of loans secured by real property located in Nevada should be sitused to Nevada. "

Per the statute and testimony on record, situsing of revenue is not determined by the physical location of the collateral. Similar to accountants or legal fees:

- If the owner of the loan IS NOT in NV and the loan servicer is servicing the loan from OUTSIDE of NV, the servicing revenue should NOT be sitused to NV because the benefit of the service is used/received outside of NV.
- If the owner of the loan IS in NV and the loan servicer is servicing the loan from OUTSIDE of NV, the servicing revenue should be sitused to NV because the benefit of the service is used/received in NV.
- If the owner of the loan IS NOT in NV and the loan servicer is servicing the loan from INSIDE NV, the servicing revenue should NOT be sitused to NV because the benefit of the service is used/received outside of NV.

NBA also shares the concerns of others regarding the application of 'proportionate share' throughout section 10.

## Section 5:

NBA supports adding the words legal entity or person in section 5 1 to read: " ...whose activities within Nevada are confined to the owning, maintenance and management of intangible assets of which a legal entity, person or trust is the legal owner."

Submitted 12/7/2015