



NRS 372.348 & NAC 372.700

REQUIREMENTS FOR ORGANIZATION CREATED FOR RELIGIOUS, CHARITABLE OR EDUCATIONAL PURPOSES.

NRS 372.348 Claim of exemption: Nonprofit organization created for religious, charitable or educational purposes.

1. Any nonprofit organization created for religious, charitable or educational purposes that wishes to claim an exemption pursuant to NRS 372.326, must file an application with the Department to obtain a letter of exemption. The application must be on a form and contain such information as is required by the Department.
2. If the Department determines that the organization is created for religious, charitable or educational purposes, it shall issue a letter of exemption to the organization. The letter of exemption expires 5 years after the date on which it is issued by the Department. At least 90 days before the expiration of the letter of exemption, the Department shall notify the organization to whom the letter was issued of the date on which the letter will expire. The organization may renew its letter of exemption for an additional 5 years by filing an application for renewal with the Department. The application for renewal must be on a form and contain such information as is required by the Department.
3. To claim an exemption pursuant to NRS 372.326 for the sale of tangible personal property to such an organization:
 - (a) The organization must give a copy of its letter of exemption to the retailer from whom the organization purchases the property; and
 - (b) The retailer must retain and present upon request a copy of the letter of exemption.
4. The Department shall adopt such regulations as are necessary to carry out the provisions of this section.
(Added to NRS by 1995, 1438)—(Substituted in revision for NRS 372.343) **See also NRS 372.326**

NAC 372.700 Charitable, Religious or Educational Organizations: Letters of Exemption

1. An organization requesting exempt status must submit to the department an application on a form prescribed by the department and copies of:
 - (a) Its bylaws;
 - (b) Its articles of incorporation;
 - (c) Financial information which provides verifiable sources of income and expenditures, which may include, without limitation, financial statements and independent audit reports;
 - (d) Letters of exemption issued to it by any governmental agency;
 - (e) If the application is for a charitable organization, an outline of its charitable activities, fund raisers and goals, and a copy of its business or strategic plan must be attached; and
 - (f) Any other information which the department deems relevant.
2. Upon approval of an application, the department will issue a letter of exemption. The letter is not transferable. The organization must notify the department of changes to the name, address, telephone number or responsible person of the organization. Each organization must apply for the renewal of its letter of exemption every 5 years. The department will mail a renewal application to the last known address of the organization at least 90 days before the expiration of the letter of exemption. Failure to receive a renewal application does not extend the validity of the exemption beyond the 5 years.
3. The department may deny an application for exemption if it finds that:
 - (a) The organization has failed to submit sufficient information on which to grant an exemption; or
 - (b) The organization does not meet the standards for exemption.
4. The department may withdraw the letter of exemption issued to any organization if the department finds that:
 - (a) The organization is no longer engaged in charitable, religious or educational pursuits;
 - (b) The organization has ceased to comply with the standards for exemption; or
 - (c) The application contained false or misleading information.
5. A charitable, religious or educational organization may petition the commission for reconsideration of any action by the department denying or withdrawing a letter of exemption. Upon reconsideration, the commission may grant or reissue the letter of exemption if the organization has presented satisfactory evidence that it complies with the standards for exemption.
6. As used in this section, "standards for exemption" means the criteria set out in this section and NRS 372.326 and 372.3261.
[Tax Comm'n, Combined Sales and Use Tax Ruling part No. 78, eff. 9-17-80]-(NAC A by 8084-97, 11-26-97; 8181-99, 5-16-2000)

Underlining/bolding has been added for emphasis.