

March 6, 2007

**S 540. REVENUE LAWS & MOTOR FUELS TAX TECH. CHANGES (=H 258).** Filed 3/6/07. *TO MAKE TECHNICAL, CLARIFYING, AND ADMINISTRATIVE CHANGES TO THE REVENUE LAWS, MOTOR FUELS TAX LAWS, AND RELATED STATUTES.*

Identical to H 258, filed 2/19/07.

**Intro. by Hartsell.**

GS 53B, 105, 115D, 119, 153A, ALAMANCE, ASHE, BURKE, CALDWELL, CATAWBA, CHATHAM, CHEROKEE, CLEVELAND, COLUMBUS, DAVIDSON, FORSYTH, GASTON, GRAHAM, GUILFORD, HAYWOOD, HENDERSON, HERTFORD, HYDE, IREDELL, JACKSON, JOHNSTON, LEE, LENOIR, LINCOLN, MACON, MCDOWELL, MECKLENBURG, MITCHELL, MOORE, ONSLOW, ORANGE, PAMLICO, PENDER, PITT, POLK, RANDOLPH, ROBESON, RUTHERFORD, SWAIN, WAKE, WATAUGA, WILSON, YANCEY

June 28, 2007

**S 540. REVENUE LAWS & MOTOR FUELS TAX TECH. CHANGES.** Filed 3/6/07. Senate committee substitute makes the following changes to 1st edition.

*Taxes.* Effective July 1, 2007 (was, January 1, 2010), amends GS 105-187.51B to provide that a research and development company that purchases mill machinery parts or accessories, as well as mill machinery, is subject to the privilege tax. Removes the proposed addition of mill machinery parts or accessories from the items purchased by a major recycling facility to which the tax applies. Repeals GS 105-248.1, reimbursement and tax-sharing distributions, which is obsolete because the referenced provisions were repealed in 2001. Effective January 1, 2008, repeals GS 105-449.81(3a), the excise tax on fuel alcohol or biodiesel that meets specified conditions, because it conflicts with other law providing for taxation at the rack or upon importation.

*Highway Trust Fund.* Repeals Section 8.4 of SL 1989-692, which sunsets the Highway Trust Fund and the Joint Legislative Transportation Oversight Committee upon completion of contracts for projects under the Highway Trust Fund. Amends GS 105-187.9 to require specified funds to be credited directly to the General Fund instead of first to the Highway Trust Fund. Repeals GS 105-187.11, providing for the transition from sales tax to highway use tax for lessors and renters of motor vehicles.

*Disclosure.* Amends GS 105-259(b) to allow an officer, employee, or agent of the state with access to tax information to disclose information for the following purposes: (1) information needed for statistical reports and revenue estimates if the laws of the other jurisdiction allow it to provide similar tax information to a representative of this state; (2) to exchange information with the Joint Operations for Fuel Tax Compliance; and (3) to furnish a requested analysis of the fiscal impact of proposed legislation to the Fiscal Research Division.

*Misc.* Effective January 1, 2010, amends GS 105-330.10 to conform to the changes made by SL 2006-30. Amends GS 105-130.41 and GS 105-151.22 to require the Department of Revenue to publish the total amount of charges assessed for the taxable year (was, charges with respect to which credits were taken). Amends GS 105-164.44I to allow a city or county to correct errors by submitting a new certification to the Secretary of the Department of Revenue when the amount of the cable franchise tax imposed during the first six months of the 2006-07 fiscal year differs from the amount certified to the Secretary and establishes the method to be used by the Secretary to determine the county or city's proportionate share based on when the distribution takes place. Amends GS 105-241(b)(2) to update terminology relating to prepayment taxes. Repeals GS 142-95 real estate certificates of participation (RECOP) indebtedness. Repeals Article 3 of GS Chapter 159D, Life Sciences Revenue Bond Authority.

*Section deletions.* Deletes the proposed amendment to GS 105-268.1, relating to sharing information with the US Government, because the substance is now proposed as an amendment to GS 105-259. Deletes proposed new GS 115D-31.4, designating development tiers.

Changes the effective date of changes to GS 105-449.72(a) from when the act becomes law to October 1, 2007. Changes the effective date of changes to GS 105-449.115(g) from October 1, 2007, to when the act becomes law. Makes technical section numbering changes. Makes technical and conforming changes.

July 10, 2007

**S 540. REVENUE LAWS & MOTOR FUELS TAX TECH. CHANGES.** Filed 3/6/07. Senate amendment makes the following changes to 2nd edition. Provides that the changes to the Session Laws in Section 21 are effective January 1, 2008. Deletes the proposed amendment to SL 1985-923 Section 1(c) (administration of the Swain County occupancy tax). Corrects a reference to the Joint Operations Center for National Fuel Tax Compliance in Section 34.

July 28, 2007

**S 540. REVENUE LAWS & MOTOR FUELS TAX TECH. CHANGES.** Filed 3/6/07. House committee substitute makes the following changes to 3rd edition. Modifies G.S. 105-113.82(a) to clarify that the net proceeds of certain excise taxes on malt beverages, unfortified and fortified wine must be distributed annually to the counties or cities in which the retail sale of the beverages is authorized in the entire county or city. Amends Section 22(c) to make technical correction to set out the correct version of G.S. 105-330.10. Amends G.S. 105-241(b)(2) to specify that a taxpayer that is required to prepay tax under G.S. 105-116 or G.S. 105-164.16 must pay the tax by electronic funds transfer. Adds new section to amend G.S. 20-51(16), as enacted by S.L. 2007-194 to clarify that the provisions of G.S. 105-449.17 (penalties for highway use of dyed diesel or other non-tax-paid fuel) continue to apply to a vehicle and to the person in whose name the vehicle would be registered even if the vehicle is exempt from the requirement of registration and certification. Makes technical changes to Section 6 of S.L. 2007-224. Adds Swain County to the list of counties to which G.S. 153A-155(g) applies (uniform provisions for non occupancy taxes). Deletes proposed amendments to SL 1985-892, Section 1, Subsection (c) [setting the date for payment of taxes paid in monthly installments].

July 31, 2007

**S 540. REVENUE LAWS & MOTOR FUELS TAX TECH. CHANGES.** Filed 3/6/07. House amendment makes the following changes to 4th edition. Deletes the proposed revision of GS 105-187.9, relating to disposition of the proceeds of the Highway Use Tax.

September 4, 2007

**SL 2007-527 (S 540). REVENUE LAWS AND MOTOR FUELS TAX TECHNICAL CHANGES. AN ACT TO MAKE TECHNICAL, CLARIFYING, AND ADMINISTRATIVE CHANGES TO THE REVENUE LAWS, MOTOR FUELS TAX LAWS, AND RELATED STATUTES.** Summarized in *Daily Bulletin* 3/6/07, 6/28/07, 7/10/07, 7/28/07, and 7/31/07. Enacted August 31, 2007. Effective August 31, 2007, except as otherwise provided.