

March 3, 2009

S 391. CABARRUS COUNTY LOCAL OPTION SALES TAX. Filed 3/3/09. *TO AUTHORIZE CABARRUS COUNTY TO LEVY A ONE-QUARTER CENT LOCAL SALES AND USE TAX FOR ROAD CONSTRUCTION PURPOSES, IF APPROVED BY THE VOTERS OF THE COUNTY.*

Enacts a new Article 47 in Subchapter VIII of GS Chapter 105 to provide that, if passed by voter referendum, the Cabarrus County Board of Commissioners may, by resolution, levy a second 1/4 cent local sales and use tax. Requires that, for this Article to apply, the county must levy the first one cent local sales and use tax under Article 39 of GS Chapter 105 or SL 1967-1096, the first 1/2 cent local sales and use tax under Article 40 of GS Chapter 105, the second 1/2 cent local sales and use tax under Article 42 of GS Chapter 105, and the first 1/4 cent local sales and use tax under Article 46 of GS Chapter 105. Provides for a special election to submit the question to voters. Requires that the adoption, levy, collection, administration, and repeal of the additional taxes be in accordance with Article 39 of GS Chapter 105. Specifies that the tax does not apply to the sales price of food exempt from tax pursuant to GS 105-164.13B. Requires that the Secretary of Revenue distribute the net proceeds to the county on a monthly basis. Limits the use of the tax proceeds to participating in the costs of rights-of-way, construction, reconstruction, improvement, or maintenance of a road on the state highway system under agreement with the Department of Transportation and to retire indebtedness incurred for these purposes. Specifies that a tax levied under Article 46 of GS Chapter 105, as enacted by this act, does not apply to construction materials purchased to fulfill a lump-sum or unit-price contract, or purchased pursuant to a bid, that is entered into or awarded before the effective date of the levy when the construction materials would otherwise be subject to the tax levied under Article 46 of GS Chapter 105.

Intro. by Hartsell (by Request).

CABARRUS