

February 3, 2009

S 48. PERMIT SEMIMONTHLY SALES TAX PAYMENTS. Filed 2/3/09. *TO PERMIT EMPLOYERS WITH LESS THAN FIFTY EMPLOYEES TO REVERT TO THE SEMIMONTHLY SALES TAX COLLECTION METHOD.*

Amends GS 105-164.16 to make sales and use taxes payable quarterly, monthly, semimonthly, or when a return is due as specified in the section (was, payable when a return is due; returns are due quarterly or monthly).

Allows a taxpayer who (1) is consistently liable for at least \$10,000 per month in state and local sales and use tax, and (2) employs less than 50 employees, to pay the tax twice a month and to file a return on a monthly basis. Provides criteria as to how the payments are applied and when payments are due. Directs a taxpayer who does not choose to make semimonthly payments but who is consistently liable for at least \$10,000 per month in state and local sales and use tax, to make a monthly prepayment of the next month's liability (was, consistently liable for \$10,000 in sales and use tax must make prepayment). Clarifies that a taxpayer must continue to file a return and pay tax in accordance with the Secretary of the North Carolina Department of Revenue's directions until the employer is notified in writing to file and pay under a different schedule.

Provides that an electric power company is not subject to interest on or penalties for an underpayment for a semimonthly payment period providing that the power company pays at least 95% of the amount due each semimonthly payment period in a timely manner and includes the underpayment with the quarterly return for the semimonthly payment periods. Makes conforming changes.

Amends GS 105-187.43 (payment of tax on piped natural gas) to make similar changes.

Effective July 1, 2009.

Intro. by Goss.

GS 105