

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2011

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HOUSE BILL 864
PROPOSED COMMITTEE SUBSTITUTE H864-PCS80226-SH-21

Short Title: Modify Butner Tax Remittance.

(Public)

Sponsors:

Referred to:

April 18, 2011

A BILL TO BE ENTITLED

AN ACT TO MODIFY THE REMITTANCE OF TAXES BASED ON VALUATION OF
PROPERTY IN THE BUTNER FIRE AND POLICE PROTECTION DISTRICT.

The General Assembly of North Carolina enacts:

SECTION 1. Section 1(b) of Chapter 830 of the 1983 Session Laws, as rewritten
by Section 43.3 of S.L. 2005-276, reads as rewritten:

"(b) The territorial jurisdiction set forth in subsection (a) of this section shall constitute
the Butner Fire and Police Protection District. The tax collectors of Durham and Granville
Counties shall annually collect a tax of twenty-five cents (25¢) per one hundred dollars
(\$100.00) valuation of all real and personal property in the portions of said district in their
respective counties from year to year which tax shall be collected as county taxes are collected
and shall remit the same to the State Treasurer for deposit ~~in the General Fund.~~ to the account
for the Department of Crime Control and Public Safety, Butner Public Safety Division."

SECTION 2. G.S. 122C-408(c) reads as rewritten:

**"§ 122C-408. Butner Public Safety Division of the Department of Crime Control and
Public Safety; jurisdiction; fire and police district.**

...

(c) The contract between the Town of Butner and the Department of Crime Control and
Public Safety shall provide that:

(1) The Butner Public Safety Division of the Department of Crime Control and
Public Safety shall provide the same level of service to the incorporated area
known as the Town of Butner as provided to those areas of the Town of
Butner served by Butner Public Safety on January 1, 2007;

(2) The Town of Butner shall pay to the State Treasurer, on or before May 1 of
each year, for deposit to the account for the Department of Crime Control
and Public Safety, Butner Public Safety Division, in ~~in the General Fund~~ an
amount equal to the amount that actually would have been collected from
real and personal property ad valorem taxes due January 5, 2007, in the area
incorporated as the Town of Butner effective July 1, 2007, assuming a tax of
twenty-five cents (25¢) per one hundred dollars (\$100.00) valuation of all
real and personal property in said area increased effective July 1 of each year
by the increase in the percentage change in the Consumer Price Index
published by the U.S. Department of Labor, Bureau of Labor Statistics, for
the southeast region, all urban consumers (or if that data shall no longer be



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1 available, the closest equivalent substitute then in publication by the United
2 States Government) for the previous year ended December 31st;

3 (3) If additional areas are added to the incorporated limits of the Town of
4 Butner, the payments due under the contract shall be increased by an amount
5 equal to the amount that actually would have been collected from real and
6 personal property ad valorem taxes due January 5 of the year of
7 incorporation of such area if said incorporation occurs on or before May 1 or
8 the amount collected for the preceding year if said incorporation occurs prior
9 to May 1 of the then current year assuming a tax of twenty-five cents (25¢)
10 per one hundred dollars (\$100.00) valuation of all real and personal property
11 in said area and increased yearly as set out above; and

12 (4) The Town of Butner and the Department of Crime Control and Public Safety
13 may by mutual agreement modify the amounts required to be paid by the
14 Town of Butner pursuant to subdivisions (2) and (3) of this subsection."

15 **SECTION 3.** G.S. 122C-411 reads as rewritten:

16 "**§ 122C-411. Fire protection contracts.**

17 The Department of Crime Control and Public Safety may contract with industries in the
18 vicinity of Butner to provide fire protection to those industries. Those contracts shall provide
19 for a payment by any contracting industry calculated on the basis of ~~twenty~~ twenty-five cents
20 ~~(20¢)~~ (25¢) per one hundred dollars (\$100.00) of assessed valuation."

21 **SECTION 4.** This act is effective when it becomes law.