

FAILED



NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 744

AMENDMENT NO. A25
(to be filled in by
Principal Clerk)

S744-ATMx-52 [v.3]

Page 1 of 2

Comm. Sub. [YES]
Amends Title [NO]
Fifth Edition

Date _____, 2014

Representative Holley

1 moves to amend the bill on page 279, lines 37 and 38, by inserting the following between the
2 lines:

3
4 **"RESTORE EARNED INCOME TAX CREDIT"**

5 **SECTION 37.8.(a)** Article 4 of Chapter 105 of the General Statutes is amended by
6 adding a new section to read:

7 **'§ 105-153.11. Earned income tax credit.**

8 (a) Credit. – An individual who claims for the taxable year an earned income tax credit
9 under section 32 of the Code is allowed a credit against the tax imposed by this Part equal to a
10 percentage of the amount of credit the individual qualified for under section 32 of the Code. A
11 nonresident or part-year resident who claims the credit allowed by this section must reduce the
12 amount of the credit by multiplying it by the fraction calculated under G.S. 105-153.4 (b) or
13 (c), as appropriate. The percentage is five percent (5%).

14 (b) Credit Refundable. – If the credit allowed by this section exceeds the amount of tax
15 imposed by this Part for the taxable year reduced by the sum of all credits allowable, the
16 Secretary must refund the excess to the taxpayer. The refundable excess is governed by the
17 provisions governing a refund of an overpayment by the taxpayer of the tax imposed in this
18 Part. Section 3507 of the Code, Advance Payment of Earned Income Credit, does not apply to
19 the credit allowed by this section. In computing the amount of tax against which multiple
20 credits are allowed, nonrefundable credits are subtracted before refundable credits.'

21 **SECTION 37.8.(b)** This section is effective for taxable years beginning on or after
22 January 1, 2015.

23 **SECTION 37.9.(a)** Section 2.2. of S.L. 2013-316 is repealed.

24 **SECTION 37.9.(b)** G.S. § 105-130.3C is repealed.

25 **SECTION 37.9.(c)** G.S. § 105-130.3 reads as rewritten:

26 **'§ 105-130.3. Corporations.**

27 A tax is imposed on the State net income of every C Corporation doing business in this
28 State at the rate of ~~six percent (6%)~~ five and six-tenths percent (5.6%). An S Corporation is not
29 subject to the tax levied in this section.'

30 **SECTION 37.9.(d)** Subsection (c) of this section is effective for taxable years
31 beginning on or after January 1, 2015. The remainder of this section is effective when it
32 becomes law."



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SIGNED _____
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED _____ FAILED _____ TABLED _____

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