

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2015

H.B. 247
Mar 16, 2015
HOUSE PRINCIPAL CLERK

H

D

HOUSE DRH40118-MCx-113 (02/10)

Short Title: Hoke County Local Option Sales Tax. (Local)

Sponsors: Representatives Pierce and Goodman (Primary Sponsors).

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO AUTHORIZE HOKE COUNTY TO LEVY AN ADDITIONAL ONE-HALF
3 CENT SALES AND USE TAX.

4 The General Assembly of North Carolina enacts:

5 **SECTION 1.** Subchapter VIII of Chapter 105 of the General Statutes is amended
6 by adding a new Article to read:

7 "Article 47.

8 "Third One-Half Cent (1/2¢) Local Government Sales and Use Tax.

9 **§ 105-539. Short title.**

10 This Article is the Third One-Half Cent (1/2¢) Local Government Sales and Use Tax Act.

11 **§ 105-540. Limitations.**

12 This Article applies only to counties that levy the first one-cent (1¢) local sales and use tax
13 under Article 39 of this Chapter or under Chapter 1096 of the 1967 Session Laws, the first
14 one-half cent (1/2¢) local sales and use tax under Article 40 of this Chapter, and the second
15 one-half cent (1/2¢) local sales and use tax under Article 42 of this Chapter.

16 **§ 105-541. Levy.**

17 (a) Authority. – If the majority of those voting in a referendum held pursuant to this
18 Article vote for the levy of the tax, the board of commissioners of the county may, by
19 resolution and after 10 days' public notice, levy a local sales and use tax at a rate of one-half
20 percent (1/2%).

21 (b) Vote. – The board of commissioners of a county may direct the county board of
22 elections to conduct an advisory referendum on the question of whether to levy a local sales
23 and use tax in the county as provided in this Article. The election shall be held in accordance
24 with the procedures of G.S. 163-287.

25 (c) Ballot Question. – The form of the question to be presented on a ballot for a special
26 election concerning the levy of the tax authorized by this Article shall be:

27 " FOR AGAINST

28 Local sales and use tax at the rate of one-half percent (1/2%) in addition to the
29 current local sales and use taxes to be used only for school construction or renovation, for the
30 purchase of land or facilities for schools, and to pay indebtedness incurred by the county for
31 these purposes."

32 **§ 105-542. Administration.**

33 Except as provided in this Article, the adoption, levy, collection, administration, and repeal
34 of these additional taxes must be in accordance with Article 39 of this Chapter. G.S. 105-468.1
35 is an administrative provision that applies to this Article. A tax levied under this Article does
36 not apply to the sales price of food that is exempt from tax pursuant to G.S. 105-164.13B or to



1 the sales price of a bundled transaction taxable pursuant to G.S. 105-467(a)(5a). The Secretary
2 shall not divide the amount allocated to a county between the county and the municipalities
3 within the county.

4 **"§ 105-543. Use.**

5 Counties may use the proceeds of a tax levied under this Article only for the purposes listed
6 in the ballot question used in the referendum pursuant to G.S. 105-541(c)."

7 **SECTION 2.** A tax levied under Article 47 of Chapter 105 of the General Statutes,
8 as enacted by this act, does not apply to construction materials purchased to fulfill a lump-sum
9 or unit-price contract entered into or awarded before the effective date of the levy or entered
10 into or awarded pursuant to a bid made before the effective date of the levy when the
11 construction materials would otherwise be subject to the tax levied under Article 47 of Chapter
12 105 of the General Statutes.

13 **SECTION 3.** This act applies to Hoke County only.

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