

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2005**

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**SENATE BILL 1563*
Finance Committee Substitute Adopted 6/21/06**

Short Title: Extend Sunset on Certain Tax Credits.

(Public)

Sponsors:

Referred to:

May 18, 2006

A BILL TO BE ENTITLED

1
2 AN ACT TO DELAY THE IMPOSITION ON PARTNERSHIPS OF THE DOLLAR
3 AMOUNT LIMITATION ON THE CREDIT ALLOWED FOR REAL PROPERTY
4 DONATIONS AND TO EXTEND THE SUNSET FOR A REFUND OF SALES
5 AND USE TAXES PAID ON FUEL BY A QUALIFYING INTERSTATE
6 PASSENGER AIR CARRIER.

7 The General Assembly of North Carolina enacts:

8 **SECTION 1.** Section 3 of S.L. 2001-335, as amended by Section 1 of S.L.
9 2004-134, reads as rewritten:

10 "SECTION 3. This act becomes effective for taxable years beginning on or after
11 January 1, 2002. Section 2 of this act expires for taxable years beginning on or after
12 January 1, ~~2006-2007.~~"

13 **SECTION 2.** G.S. 105-164.14(a1) reads as rewritten:

14 "(a1) Passenger Plane Maximum. – An interstate passenger air carrier is allowed a
15 refund of the net amount of sales and use tax paid by it in this State on fuel during a
16 calendar year in excess of two million five hundred thousand dollars (\$2,500,000). The
17 "net amount of sales and use tax paid" is the amount paid less the refund allowed under
18 subsection (a) of this section. A request for a refund must be in writing and must include
19 any information and documentation the Secretary requires. A request for a refund is due
20 within six months after the end of the calendar year for which the refund is claimed. The
21 refund allowed by this subsection is in addition to the refund allowed in subsection (a)
22 of this section. This subsection is repealed for purchases made on or after January 1,
23 2009."

24 **SECTION 3.** Section 62 of S.L. 2005-435 reads as rewritten:

25 "SECTION 62. This part becomes effective January 1, 2005, and applies to
26 purchases made on or after that date. ~~This part~~ Section 61.1 is repealed effective for
27 purchases made on or after January 1, 2007. This part does not affect the rights or
28 liabilities of the State, a taxpayer, or another person arising under a statute amended or
29 repealed by this part before the effective date of its amendment or repeal; nor does it

1 affect the right to any refund or credit of a tax that accrued under the amended or
2 repealed statute before the effective date of its amendment or repeal."

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