

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2007

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HOUSE BILL 346

Short Title: Sales Tax Refund for TDAs. (Public)

Sponsors: Representatives Alexander, Howard, Faison (Primary Sponsors); Justice, McGee, Tarleton, and Tillis.

Referred to: Finance.

February 26, 2007

A BILL TO BE ENTITLED

AN ACT TO AUTHORIZE A SALES AND USE TAX REFUND FOR TOURISM DEVELOPMENT AUTHORITIES AND OTHER ENTITIES AUTHORIZED TO SPEND OCCUPANCY TAX PROCEEDS FOR THE PROMOTION OF TRAVEL AND TOURISM.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 105-164.14(c) is amended by adding a new subdivision to read:

"(c) Certain Governmental Entities. – A governmental entity listed in this subsection is allowed an annual refund of sales and use taxes paid by it under this Article on direct purchases of tangible personal property and services, other than electricity and telecommunications service. Sales and use tax liability indirectly incurred by a governmental entity on building materials, supplies, fixtures, and equipment that become a part of or annexed to any building or structure that is owned or leased by the governmental entity and is being erected, altered, or repaired for use by the governmental entity is considered a sales or use tax liability incurred on direct purchases by the governmental entity for the purpose of this subsection. A request for a refund must be in writing and must include any information and documentation required by the Secretary. A request for a refund is due within six months after the end of the governmental entity's fiscal year. The Secretary shall make an annual report to the Department of Public Instruction and the Fiscal Research Division of the General Assembly by March 1 of the amount of refunds, identified by taxpayer, claimed under subdivisions (2b) and (2c) of this subsection over the preceding year.

This subsection applies only to the following governmental entities:

...

(23) A tourism development authority created by a city or county pursuant to an act of the General Assembly."

1 **SECTION 2.** This act becomes effective July 1, 2007, and applies to
2 purchases made on or after that date.