

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 2013

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SENATE BILL 266

Short Title: Increase Regional Transportation Tax Cap. (Public)

Sponsors: Senator Parmon (Primary Sponsor).

Referred to: Finance.

March 13, 2013

A BILL TO BE ENTITLED

AN ACT TO INCREASE THE TAX RATE ON GROSS RECEIPTS A REGIONAL TRANSPORTATION AUTHORITY MAY LEVY ON RETAILERS ENGAGED IN THE BUSINESS OF LEASING OR RENTING U-DRIVE-IT VEHICLES OR MOTORCYCLES.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 105-551 reads as rewritten:

"§ 105-551. Tax on gross receipts authorized.

(a) Tax. – The board of trustees of an Authority may levy a privilege tax on a retailer who is engaged in the business of leasing or renting U-drive-it vehicles or motorcycles based on the gross receipts derived by the retailer from the short-term lease or rental of these vehicles. The tax rate must be a percentage and may not exceed five percent (5%), eight percent (8%). A tax levied under this section applies to short-term leases or rentals made by a retailer whose place of business or inventory is located within the territorial jurisdiction of the Authority. This tax is in addition to all other taxes.

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(c) Special Tax District. – If a regional transportation authority created under Article 27 of Chapter 160A of the General Statutes has not levied the tax under this section or has levied the tax at a rate of less than five percent (5%), eight percent (8%), it may create a special district that consists of the entire area of one or more counties within its territorial jurisdiction and may levy on behalf of the special district the tax authorized in this section. The rate of tax levied within the special district may not, when combined with the rate levied within the entire territorial jurisdiction of the authority, exceed five percent (5%), eight percent (8%). The regional transportation authority may not levy or increase a tax within the special district unless the board of commissioners of each county in the special district has adopted a resolution approving the levy or increase.

A special district created pursuant to this subsection is a body corporate and politic and has the power to carry out the purposes of this subsection. The board of trustees of the regional transportation authority created under Article 27 of Chapter 160A of the General Statutes shall serve, ex officio, as the governing body of a special district it creates pursuant to this subsection. The proceeds of a tax levied under this subsection may be used only for the benefit of the special district and only for the purposes provided in G.S. 105-554. Except as provided in this subsection, a tax levied under this subsection is governed by the provisions of this Article."

SECTION 2. This act applies only to a regional transportation authority established under Article 27 of Chapter 160A of the General Statutes.



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