

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

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SENATE BILL 185*

Short Title: No Tax on Intangible Property.

(Public)

Sponsors: Senators Hoyle; Conder, Cooper, Forrester, Jordan, Kerr, Perdue, Plyler, and Rand.

Referred to: Finance.

February 19, 1997

1 A BILL TO BE ENTITLED
2 AN ACT TO EXEMPT INTANGIBLE PERSONAL PROPERTY FROM PROPERTY
3 TAX.

4 The General Assembly of North Carolina enacts:

5 Section 1. G.S. 105-275(31) reads as rewritten:

6 "(31) ~~Money, whether on hand or on deposit at a bank, a credit union, a~~
7 ~~savings and loan association, or an insurance company. Intangible~~
8 personal property."

9 Section 2. G.S. 105-275(31a), (31b), (31c), and (31d) are repealed.

10 Section 3. G.S. 105-276 reads as rewritten:

11 "**§ 105-276. ~~Taxation~~ Exemption of intangible personal property.**"

12 Intangible personal property ~~that is not~~ is excluded from taxation under G.S. 105-275
13 ~~is and is not, therefore, subject to this Subchapter."~~

14 Section 4. G.S. 105-282.1(a)(2) reads as rewritten:

15 "(2) Owners of the special classes of property excluded from taxation under
16 G.S. 105-275(5), (15), (16), (26), (31), ~~(31a), (31b), (31c), (31d), (32a),~~
17 (33), (34), or (40), or exempted under G.S. 105-278.2 are not required to
18 file applications for the exclusion or exemption of that property."

19 Section 5. G.S. 105-285(b) reads as rewritten:

1 "(b) Personal Property; General Rule. – Except as otherwise provided in this
2 Chapter, the value, ownership, and place of taxation of personal ~~property, both tangible and~~
3 ~~intangible, property~~ shall be determined annually as of January 1."

4 Section 6. G.S. 105-294(b)(3) reads as rewritten:

5 "(3) Within two years of the date of appointment, achieve a passing score in
6 courses of instruction approved by the Department of Revenue covering
7 the following topics:

8 a. The laws of North Carolina governing the listing,
9 appraisal, and assessment of property for taxation;

10 b. The theory and practice of estimating the fair market
11 value of real property for ad valorem tax purposes;

12 c. The theory and practice of estimating the fair market
13 value of ~~tangible and intangible~~ personal property for ad valorem
14 tax purposes; and

15 d. Property assessment administration."

16 Section 7. G.S. 105-305 is repealed.

17 Section 8. G.S. 105-333(3) reads as rewritten:

18 "(3) Distributable system property. – All real ~~property and tangible and~~
19 ~~intangible and~~ personal property owned or used by a railroad company
20 other than nondistributable system property."

21 Section 9. G.S. 105-333(17) reads as rewritten:

22 "(17) System property. – The real ~~property and tangible and intangible and~~
23 ~~and~~ personal property used by a public service company in its public service
24 activities. The term also includes public service company property
25 under construction on the day as of which property is assessed which
26 when completed will be used by the owner in its public service
27 activities."

28 Section 10. This act is effective for taxes imposed for taxable years beginning
29 on or after July 1, 1997.