

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2001

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HOUSE BILL 1448
Committee Substitute Favorable 5/22/01

Short Title: Make Meals Tax Penalties Uniform.

(Public)

Sponsors:

Referred to:

May 10, 2001

A BILL TO BE ENTITLED

AN ACT TO PROVIDE UNIFORM PENALTIES FOR LOCAL MEALS TAXES.

The General Assembly of North Carolina enacts:

SECTION 1. Article 7 of Chapter 153A of the General Statutes is amended by adding a new section to read:

"§ 153A-154.1. Uniform penalties for local meals taxes.

(a) Penalties. – Notwithstanding any other provision of law, the civil and criminal penalties that apply to State sales and use taxes under Chapter 105 of the General Statutes apply to local meals taxes. The governing board of a taxing county has the same authority to waive the penalties for a local meals tax that the Secretary of Revenue has to waive the penalties for State sales and use taxes.

(b) Scope. – This section applies to every county authorized by the General Assembly to levy a meals tax. As used in this section, the term 'meals tax' means a tax on prepared food and drink."

SECTION 2. Article 9 of Chapter 160A of the General Statutes is amended by adding a new section to read:

"§ 160A-214.1. Uniform penalties for local meals taxes.

(a) Penalties. – Notwithstanding any other provision of law, the civil and criminal penalties that apply to State sales and use taxes under Chapter 105 of the General Statutes apply to local meals taxes. The governing board of a taxing city has the same authority to waive the penalties for a meals tax that the Secretary of Revenue has to waive the penalties for State sales and use taxes.

(b) Scope. – This section applies to every city authorized by the General Assembly to levy a meals tax.

(c) Definitions. – The following definitions apply in this section:

(1) City. – A municipality.

(2) Meals tax. – A tax on prepared food and drink."

SECTION 3. Any provision of a local act that conflicts with G.S. 153A-154.1 or G.S. 160A-214.1 is repealed.

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SECTION 4. This act becomes effective October 1, 2001.