

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2001

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HOUSE BILL 482

Short Title: Pitt Local Sales Tax.

(Local)

Sponsors: Representative Edwards.

Referred to: Rules, Calendar, and Operations of the House.

March 6, 2001

A BILL TO BE ENTITLED

1 AN ACT TO AUTHORIZE PITT COUNTY TO LEVY A ONE-CENT LOCAL
2 SALES TAX FOR COUNTY AND MUNICIPALITY CAPITAL OUTLAY AND
3 INFRASTRUCTURE IMPROVEMENTS, IF APPROVED BY THE VOTERS OF
4 THE COUNTY.
5

6 The General Assembly of North Carolina enacts:

7 **SECTION 1.** This act applies only to Pitt County.

8 **SECTION 2.** Subchapter VIII of Chapter 105 of the General Statutes is
9 amended by adding a new Article to read:

10 "Article 44.

11 "Second One-Cent (1¢) Local Government Sales and Use Tax.

12 "**§ 105-515. Short title.**

13 This Article is the Second One-Cent (1¢) Local Government Sales and Use Tax Act.

14 "**§ 105-516. Limitations.**

15 This Article applies only to counties that levy the first one-cent (1¢) sales and use
16 tax under Article 39 of this Chapter or under Chapter 1096 of the 1967 Session Laws,
17 the first one-half cent (1/2¢) local sales and use tax under Article 40 of this Chapter, and
18 the second one-half cent (1/2¢) local sales and use tax under Article 42 of this Chapter.

19 "**§ 105-517. County election on adoption of tax.**

20 (a) Resolution. – The board of commissioners of a county may, by resolution,
21 after 10 days' public notice and a public hearing on the question, direct the county board
22 of elections to conduct a special election on the question of whether a local sales and
23 use tax at the rate of one percent (1%) will be levied in accordance with this Article.
24 The election must be on a date jointly agreed upon by the two boards and must be held
25 in accordance with the procedures of G.S. 163-287.

26 (b) Ballot Question. – The question to be presented on a ballot for a special
27 election concerning the levy of the taxes authorized by this Article must be in the
28 following form:

'[] FOR [] AGAINST

one percent (1%) local sales and use taxes, in addition to the current local sales and use taxes, to be used only for county and municipal capital outlay and infrastructure improvements, and to retire indebtedness incurred for these purposes.'

"§ 105-518. Levy, administration, and distribution.

If the majority of those voting in a referendum held pursuant to this Article vote for the levy of the tax, the board of commissioners of the county may, by resolution, levy one percent (1%) local sales and use taxes in addition to any other State and local sales and use taxes levied pursuant to law. Except as provided in this Article, the adoption, levy, collection, administration, distribution, and repeal of these additional taxes shall be in accordance with Article 39 of this Chapter.

A tax levied under this Article does not apply to the sales price of food that is exempt from tax pursuant to G.S. 105-164.13B.

"§ 105-519. Use.

Counties and municipalities may use the proceeds of a tax levied under this Article only for capital outlay and infrastructure improvements and to retire indebtedness incurred by the county or municipality for these purposes."

SECTION 3. A tax levied under Article 44 of Chapter 105 of the General Statutes, as enacted by this act, does not apply to construction materials purchased to fulfill a lump-sum or unit-price contract entered into or awarded before the effective date of the levy or entered into or awarded pursuant to a bid made before the effective date of the levy when the construction materials would otherwise be subject to the tax levied under Article 44 of Chapter 105 of the General Statutes.

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