

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2011

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HOUSE BILL 751

Short Title: Clarify Mill Machinery Privilege Tax. (Public)

Sponsors: Representative McComas (Primary Sponsor).
For a complete list of Sponsors, see Bill Information on the NCGA Web Site.

Referred to: Finance.

April 7, 2011

A BILL TO BE ENTITLED

AN ACT TO CLARIFY THAT A PORT FACILITY THAT UTILIZES SPECIALIZED MACHINERY TO PROCESS BULK CARGO INTO A FORM SUITABLE FOR DELIVERY AND USE BY A MANUFACTURING FACILITY QUALIFIES AS A MANUFACTURING FACILITY FOR PURPOSES OF THE PRIVILEGE TAX ON MILL MACHINERY.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 105-187.51(a) reads as rewritten:

"(a) Scope. – A privilege tax is imposed on the following persons:

(1) A manufacturing industry or plant that purchases mill machinery or mill machinery parts or accessories for storage, use, or consumption in this ~~State~~State, including a port facility for waterborne commerce which, by use of specialized machinery, unloads or processes bulk cargo to make it suitable for delivery to and use by manufacturing facilities. A manufacturing industry or plant does not include the following:

- a. A delicatessen, cafe, cafeteria, restaurant, or another similar retailer that is principally engaged in the retail sale of foods prepared by it for consumption on or off its premises.
- b. A production company.

(2) A contractor or subcontractor that purchases mill machinery or mill machinery parts or accessories for use in the performance of a contract with a manufacturing industry or plant.

(3) A subcontractor that purchases mill machinery or mill machinery parts or accessories for use in the performance of a contract with a general contractor that has a contract with a manufacturing industry or plant."

SECTION 2. This act is effective when it becomes law.

