

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2017

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SENATE BILL 153
Finance Committee Substitute Adopted 6/27/17

Short Title: Military Retiree State Income Tax Relief.

(Public)

Sponsors:

Referred to:

March 2, 2017

1 A BILL TO BE ENTITLED
2 AN ACT TO PROVIDE INCOME TAX RELIEF FOR RETIRED MEMBERS OF THE
3 ARMED FORCES OF THE UNITED STATES.

4 The General Assembly of North Carolina enacts:

5 **SECTION 1.** G.S. 105-153.5(b) reads as rewritten:

6 "(b) Other Deductions. – In calculating North Carolina taxable income, a taxpayer may
7 deduct from the taxpayer's adjusted gross income any of the following items that are included
8 in the taxpayer's adjusted gross income:

9 ...

10 (5) The amount received during the taxable year from one or more State, local,
11 or federal government retirement plans to the extent the amount is exempt
12 from tax under this Part pursuant to a court order in settlement of any of the
13 ~~following cases:~~ cases listed in this subdivision. Amounts deducted under this
14 subdivision may not also be deducted under subdivision (5a) of this
15 subsection.

16 a. Bailey v. State, 92 CVS 10221, 94 CVS 6904, 95 CVS 6625, 95 CVS
17 8230.

18 b. Emory v. State, 98 CVS 0738.

19 c. Patton v. State, 95 CVS 04346.

20 (5a) The amount received during the taxable year from the United States
21 government as retirement pay for a retired member of the Armed Forces of
22 the United States or as survivorship benefits for survivors of active duty or
23 retired members of the Armed Forces of the United States. Amounts
24 deducted under this subdivision may not also be deducted under subdivision
25 (5) of this subsection.

26"

27 **SECTION 2.** This act is effective for taxable years beginning on or after January 1,
28 2017.

