

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019

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HOUSE BILL 120
Committee Substitute Favorable 3/21/19
Committee Substitute #2 Favorable 4/10/19

Short Title: Clarify Fire District Funding Eligibility.

(Public)

Sponsors:

Referred to:

February 21, 2019

1 A BILL TO BE ENTITLED
2 AN ACT TO CLARIFY ELIGIBLE USES OF FIRE PROTECTION TAX REVENUES.
3 The General Assembly of North Carolina enacts:

4 **SECTION 1.** G.S. 69-25.5 reads as rewritten:

5 "**§ 69-25.5. Methods of providing fire ~~protection~~protection; limitation; inspection of**
6 **records.**

7 (a) Methods. – Upon the levy of such tax, the board of county commissioners shall, to
8 the extent of the taxes collected hereunder, provide fire protection for the ~~district~~district by doing
9 one or more of the following:

- 10 (1) ~~By contracting~~Contracting with any incorporated city or town, with any
11 incorporated nonprofit volunteer or community fire department, or with the
12 Department of Agriculture and Consumer Services to furnish fire ~~protection~~,
13 ~~or~~protection.
14 (2) ~~By furnishing~~Furnishing fire protection itself if the county maintains an
15 organized fire ~~department~~, ~~or~~department.
16 (3) ~~By establishing~~Establishing a fire ~~department~~ department within the ~~district~~,
17 ~~or~~district.
18 (4) ~~By utilizing any two or more of the above listed methods of furnishing fire~~
19 ~~protection.~~

20 (b) Limitation. – A board of county commissioners may not use the proceeds of the tax
21 levied under this Article to fund a fire protection-related service or program that is furnished
22 countywide and that is not exclusively used or provided within the district, such as a county fire
23 marshal or an inspection, training, or education program. However, a county may use sales and
24 use tax proceeds, including any proceeds that are allocated to a district, for this purpose.

25 (c) Inspection of Records. – An incorporated nonprofit volunteer or community fire
26 department that receives any portion of the tax levied under this Article is subject to an inspection
27 of the financial books and records upon request of the board of county commissioners."

28 **SECTION 2.** This act becomes effective July 1, 2019, and applies to taxes levied on
29 or after that date.

