

ADOPTED



NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 998

AMENDMENT NO. A1
(to be filled in by
Principal Clerk)

H998-ATD-89 [v.1]

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Comm. Sub. [YES]
Amends Title [NO]
Fifth Edition

Date _____, 2013

Senator Rabon

1 moves to amend the bill on page 9, line 29, by deleting "105-129.101." and substituting
2 "105-129.102.";
3

4 and on page 13, lines 5 through 7, by rewriting the lines to read:

5 "SECTION 4.3.(b) G.S. 105-129.27(b) reads as rewritten:

6 '(b) Taxes Credited. – The credit provided in this section is allowed against the franchise
7 tax levied in Article 3 of this Chapter and the income tax levied in Part 1 of Article 4 of this
8 Chapter. Any other nonrefundable credits allowed the owner are subtracted before the credit
9 allowed by this section.'

10 SECTION 4.3.(c) G.S. 105-129.96(b) reads as rewritten:

11 '(b) Taxes Credited. – The credit provided in this section is allowed against the franchise
12 tax levied in Article 3 of this Chapter or the income taxes levied in Article 4 of this Chapter.
13 The taxpayer must elect the tax against which a credit will be claimed when filing the return on
14 which the first installment of the credit is claimed. This election is binding. The credit may not
15 exceed fifty percent (50%) of the tax against which it is applied. Any unused portion of a credit
16 may be carried forward for the succeeding 10 years. Any carryforwards of a credit must be
17 claimed against the same tax.'

18 SECTION 4.3.(d) G.S. 105-131.7(a) reads as rewritten:";

19

20 and on page 13, line 18, by rewriting the line to read:

21 "SECTION 4.3.(e) G.S. 105-164.3 reads as rewritten:";

22

23 and on page 13, lines 43 through ⁴⁴45, by rewriting the lines to read:

24 SECTION 4.3.(f) G.S. 105-275(8)d. reads as rewritten:

25 "§ 105-275. Property classified and excluded from the tax base.

26 The following classes of property are designated special classes under Article V, Sec. 2(2),
27 of the North Carolina Constitution and are excluded from tax:

28

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- ...
d. Real or personal property that is used or, if under construction, is to be used by a major recycling facility as defined in G.S. ~~105-129.25~~ G.S. 105-164.3 predominantly for recycling or resource recovering of or from solid waste, if the Department of



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Environment and Natural Resources furnishes a certificate to the tax supervisor of the county in which the property is situated stating the Department of Environment and Natural Resources has found that the described property has been or will be constructed or installed for use by a major recycling facility, complies or will comply with the rules of the Department of Environment and Natural Resources, and has, or will have as a purpose recycling or resource recovering of or from solid waste.

SECTION 4.3.(g) Subsections (e) and (f) of this section become effective January 1, 2018.";

and on page 16, lines 14-19, by rewriting the lines to read:

"SECTION 5.(c) G.S. 57D-1-22(a)(28), as enacted by S.L. 2013-157, reads as rewritten:

(a) The Secretary of State shall collect the following fees when the documents described in this subsection are delivered to the Secretary of State for filing:

...

(28) Annual report 200.00No fee";

and on page 19, lines 14 and 15, by rewriting the lines to read:

~~"(5b) The sales price of bread, rolls, and buns that are sold at a bakery thrift store and are exempt from State tax under G.S. 105-164.13(27a).";~~

and on page 19, lines 27-29, by rewriting the lines to read:

"The University of North Carolina. The term includes The University of North Carolina Health Care System. The term does not include a local board of education-education or an affiliate of the University of North Carolina Health Care System that is a separately incorporated entity.";

and on page 21, line 11, by deleting "SECTION 7.3(d)" and substituting "SECTION 7.2.(d)" and by renumbering the remaining sections in Part VII accordingly;

and on page 23, lines 30-32 and lines 46-48, by rewriting the lines to read:

"Beginning July 1, 2014 \$3,000,000
Beginning July 1, 2015 \$2,000,000
Beginning July 1, 2016 \$1,500,000
Beginning on or after July 1, 2017 \$ 850,000.";

and on page 30, line 11, by inserting the word "contract" immediately after the word "service";

and on page 30, lines 16 and 17, by rewriting the lines to read:

"c. A transmission, distribution, or other network cable or asset of an entity providing electric, gas, telecommunications, cable, broadband,

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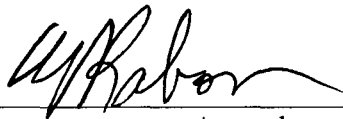
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1 or other utility services contained on utility-owned land or other
2 rights-of-way or easements authorized for utility and related
3 purposes.";
4

5 and on page 34, line 25, by deleting the phrase "June 30, 2014," and substituting the phrase
6 "June 30, 2015,".

SIGNED 
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED _____ FAILED _____ TABLED _____

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and vote information, is available in the
Senate Principal Clerk's Office**