

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1991

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SENATE BILL 89

Short Title: Change Parties Fund.

(Public)

Sponsors: Senator Bryan.

Referred to: Finance.

February 18, 1991

A BILL TO BE ENTITLED

AN ACT TO FINANCE THE NORTH CAROLINA POLITICAL PARTIES FINANCING FUND THROUGH GIFTS FROM TAXPAYERS' REFUNDS, AND TO BASE DISTRIBUTION OF THE PROCEEDS ON THE MOST RECENT VOTE FOR GOVERNOR.

The General Assembly of North Carolina enacts:

Section 1. G.S. 105-159.1 is repealed.

Sec. 2. G.S. 105-163.16 is amended by adding a new subsection to read:

"(g) Any taxpayer who is entitled to a refund of taxes withheld or estimated taxes paid as provided by this section may elect to designate that all or any part of the refund be paid by the Secretary to the State Treasurer for the use of all political parties upon a pro rata basis according to the votes each party polled for its candidate for Governor in the most recent general election for Governor. Provided, however, that no political party that polled for its candidate for Governor less than one percent (1%) of the total vote in the most recent general election for Governor shall receive any of these funds, and the votes for that party's candidate shall not be included in calculating the pro rata distribution. The Secretary shall provide appropriate language and space on the individual income tax form in which to make the election and shall note the same in his instructions. The election shall become irrevocable upon filing the taxpayer's income tax return for the taxable year. A paid preparer of tax returns may not designate on a return that the taxpayer does or does not desire to make the political contribution authorized in this subsection unless the taxpayer or the taxpayer's spouse has consented to the designation.

1 For each quarterly period beginning on or after January 1, 1992, on or before the last
2 day of the month following the close of the quarterly period, the Secretary shall remit all
3 funds designated pursuant to this subsection to an interest-bearing account to be known
4 as the 'North Carolina Political Parties Financing Fund.' Any interest earned on funds so
5 deposited shall be credited to the political party to which the funds were allocated. A
6 report to the State Treasurer, State Board of Elections, and each State party chairman
7 shall accompany each remittance, and shall detail the amount of funds remitted, and the
8 cumulative total of funds remitted to date for the year."

9 Sec. 3. Any funds in the North Carolina Political Parties Financing Fund or in
10 the Presidential Election Year Candidates Funds of any party on January 1, 1992, shall
11 be reallocated among the parties' accounts or funds by the State Treasurer on that date
12 according to the formula set out in Section 2 of this act. Any distribution from those
13 Funds that the Treasurer makes to political parties pursuant to G.S. 163-278.41, he shall
14 make according to the formula set out in Section 2 of this act.

15 Sec. 4. This act becomes effective for taxable years beginning on or after
16 January 1, 1991.