

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009

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HOUSE DRH50898-MC-268E (05/06)

Short Title: Extend Various Economic Incentives Sunsets. (Public)

Sponsors: Representatives Owens and Gibson (Primary Sponsors).

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO EXTEND THE SUNSET OF VARIOUS ECONOMIC INCENTIVES AND TO
3 PROVIDE AN ENHANCED INCENTIVE FOR JOBS IN HIGH UNEMPLOYMENT
4 COUNTIES.

5 The General Assembly of North Carolina enacts:

6 **SECTION 1.** G.S. 105-129.16D(d) reads as rewritten:

7 "**§ 105-129.16D. Credit for constructing renewable fuel facilities.**

8 ...

9 (d) Sunset. – This section is repealed effective for facilities placed in service on or after
10 January 1, ~~2011~~2014."

11 **SECTION 2.** G.S. 105-129.16E(d) reads as rewritten:

12 "**§ 105-129.16E. Credit for small business employee health benefits.**

13 ...

14 (d) Sunset. – This section expires for taxable years beginning on or after January 1,
15 ~~2010~~2014."

16 **SECTION 3.** G.S. 105-129.16F(b) reads as rewritten:

17 "**§ 105-129.16F. Credit for biodiesel producers.**

18 ...

19 (b) Sunset. – This section is repealed for taxable years beginning on or after January 1,
20 ~~2010~~2014."

21 **SECTION 4.** G.S. 105-129.75 reads as rewritten:

22 "**§ 105-129.75. Sunset.**

23 This Article expires January 1, ~~2011~~2014, for rehabilitation projects for which an
24 application for an eligibility certification is submitted on or after that date."

25 **SECTION 5.** G.S. 105-129.82(a) reads as rewritten:

26 "(a) Sunset. – This Article is repealed effective for business activities that occur on or
27 after January 1, ~~2011~~2014."

28 **SECTION 6.** G.S. 105-163.015 reads as rewritten:

29 "**§ 105-163.015. Sunset.**

30 This Part is repealed effective for investments made on or after January 1, ~~2011~~2014."

31 **SECTION 7.** G.S. 105-164.14 reads as rewritten:

32 "**§ 105-164.14. Certain refunds authorized.**

33 ...

34 (a1) Passenger Plane Maximum. – An interstate passenger air carrier is allowed a refund
35 of the net amount of sales and use tax paid by it in this State on fuel during a calendar year in



1 excess of two million five hundred thousand dollars (\$2,500,000). The "net amount of sales and
 2 use tax paid" is the amount paid less the refund allowed under subsection (a) of this section. A
 3 request for a refund must be in writing and must include any information and documentation
 4 the Secretary requires. A request for a refund is due within six months after the end of the
 5 calendar year for which the refund is claimed. The refund allowed by this subsection is in
 6 addition to the refund allowed in subsection (a) of this section. This subsection is repealed for
 7 purchases made on or after January 1, ~~2011~~2014.

8 ...
 9 (l) Aviation Fuel for Motorsports Events. – A professional motorsports racing team or
 10 a motorsports sanctioning body is allowed a refund of the sales and use tax paid by it in this
 11 State on aviation fuel that is used to travel to or from a motorsports event in this State, to travel
 12 to a motorsports event in another state from a location in this State, or to travel to this State
 13 from a motorsports event in another state. For the purposes of this subsection, a "motorsports
 14 event" includes a motorsports race, a motorsports sponsor event, and motor sports testing. A
 15 request for a refund must be in writing and must include any information and documentation
 16 the Secretary requires. A request for a refund is due within six months after the end of the
 17 State's fiscal year. Refunds applied for after the due date are barred. This subsection is repealed
 18 for purchases made on or after January 1, ~~2011~~2014.

19"

20 **SECTION 8.** G.S. 105-129.81 is amended by adding a new subdivision to read:

21 "**§ 105-129.81. Definitions.**

22 The following definitions apply in this Article:

23 ...

24 (11a) High unemployment county. – For the taxable years ending on December
 25 31, 2011, and December 31, 2012, a county that has an unemployment rate
 26 equal to or greater than one hundred twenty-five percent (125%) of the State
 27 average unemployment rate, as determined by the Secretary of Commerce
 28 annually in the development tier ranking published pursuant to
 29 G.S. 143B-437.08.

30"

31 **SECTION 9.** G.S. 105-129.87(a) reads as rewritten:

32 "(a) Credit. – A taxpayer that meets the eligibility requirements set out in
 33 G.S. 105-129.83 and satisfies the threshold requirement for new job creation in this State under
 34 subsection (b) of this section during the taxable year is allowed a credit for creating jobs. The
 35 amount of the credit for each new job created is set out in the table below and is based on the
 36 development tier designation of the county in which the job is located. If the job is located in an
 37 urban progress zone or an agrarian growth zone, the amount of the credit is increased by one
 38 thousand dollars (\$1,000) per job. In addition, if a job located in an urban progress zone or an
 39 agrarian growth zone is filled by a resident of that zone or by a long-term unemployed worker,
 40 or if a job is located in a high unemployment county, the amount of the credit is increased by an
 41 additional two thousand dollars (\$2,000) per job.

Area Development Tier	Amount of Credit
Tier One	\$12,500
Tier Two	5,000
Tier Three	750"

46 **SECTION 10.** Sections 8 and 9 of this act are effective for taxable years beginning
 47 on or after January 1, 2010. The remainder of this act is effective when it becomes law.