

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2011

H.B. 1174
May 29, 2012
HOUSE PRINCIPAL CLERK

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HOUSE DRH11353-MCx-280 (05/18)

Short Title: Scotland Co: Privilege Tax for Sweepstakes. (Local)

Sponsors: Representative Pierce.

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO AUTHORIZE SCOTLAND COUNTY TO IMPOSE A PRIVILEGE TAX ON
3 ESTABLISHMENTS WITH SWEEPSTAKES MACHINES.

4 The General Assembly of North Carolina enacts:

5 **SECTION 1.** This act applies to Scotland County only.

6 **SECTION 2.** Article 2 of Chapter 105 of the General Statutes is amended by
7 adding a new section to read:

8 "**§ 105-40.1. Sweepstakes machine establishments.**

9 (a) Definitions. – The following definitions apply in this section:

10 (1) Sweepstakes machine. – The term has the same definition as "electronic
11 machine or device" as that term is defined in G.S. 14-306.4.

12 (2) Sweepstakes machine establishment. – A place of business in which a
13 sweepstakes machine is operated.

14 (b) Rate and Payment. – The county may levy a privilege tax on every sweepstakes
15 establishment located in the county in an amount not to exceed two thousand dollars (\$2,000)
16 per year and on every sweepstakes machine located in the county in an amount not to exceed
17 four hundred dollars (\$400.00) per year. The tax is due when a return is due. A return is due by
18 the tenth day after the end of each month and covers the previous month."

19 **SECTION 3.** This act becomes effective July 1, 2012. The tax imposed by this act
20 shall be repealed as of the date an appellate court of competent jurisdiction in the State
21 determines the operation of a sweepstakes machine violates the laws of this State. This act does
22 not affect the rights or liabilities of a county, a taxpayer, or another person arising under a
23 statute amended or repealed by this act before the effective date of its amendment or repeal; nor
24 does it affect the right to any refund or credit of a tax that accrued under the amended or
25 repealed statute before the effective date of its amendment or repeal.

