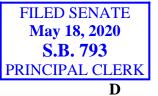
## GENERAL ASSEMBLY OF NORTH CAROLINA SESSION 2019



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## SENATE BILL DRS45417-MCxf-244A

Short Title:	Expand Local Option Sales Tax for Education.	(Local)
Sponsors:	Senators Robinson, Tillman, and Garrett (Primary Sponsors).	
Referred to:		

1	A BILL TO BE ENTITLED		
2	AN ACT TO GIVE GUILFORD COUNTY GREATER FLEXIBILITY TO USE LOCAL		
3	OPTION SALES TAX REVENUES FOR EDUCATION.		
4	The General Assembly of North Carolina enacts:		
5	<b>SECTION 1.</b> G.S. 105-537 reads as rewritten:		
6	"§ 105-537. Levy.		
7	(a) Authority. – <u>A tax levied under this Article must be approved in a referendum.</u> If the		
8	majority of those voting in a referendum held pursuant to this Article vote for the levy of the tax,		
9	the board of county commissioners may, by resolution and after 10 days' public notice, levy a		
10	local sales and use tax at a rate of one-quarter percent (0.25%).		
11	(b) Vote. – The board of county commissioners may direct the county board of elections		
12	to conduct an advisory referendum on the question of whether to levy a local sales and use tax in		
13	the county as provided in this Article. The election shall be held in accordance with the		
14	procedures of G.S. 163A-1592. G.S. 163A-1592, except that the election shall not be held within		
15	one year from the date of the last preceding election under this section.		
16	(c) Ballot Question. – The Except as provided in subsection (d) of this section, the form		
17	of the question to be presented on a ballot for a special election concerning the levy of the tax		
18	authorized by this Article shall be:		
19	"[] FOR [] AGAINST		
20	Local sales and use tax at the rate of one-quarter percent (0.25%) [The applicable rate stated		
21	in both words and as a percentage] in addition to all other State and local sales and use		
22	taxes."taxes to be used for [the applicable use or uses chosen from the options listed in		
23	<u>G.S. 105-538(b)]."</u>		
24	(d) Combined Ballot Question. – The county may combine the question concerning the		
25	levy authorized by this Article and a bond referendum conducted pursuant to Part 2 of Article 4		
26	of Chapter 159 of the General Statutes. In addition to any other notice or information required		
27	by law, the county shall also provide notice of the intent to combine the tax and bond questions		
28	and include the anticipated revenue from the levy of the tax and the maximum amount of the		
29	bonds authorized to be issued. The form of the question to be presented on a ballot for a special		
30	election for the combined levy of the tax authorized by this Article and the bond referendum shall		
31	be:		
32	<u>"[]FOR []AGAINST</u>		
33	Both of the following:		
34	[The applicable language required by subsection (c) of this section.]		



	General Assembly Of North Carolina	Session 2019			
1 2	An order authorizing \$ bonds plus i providing that additional taxes may be levied in an	nterest for (briefly stating the purpose) and amount sufficient to pay the principal of and			
3	interest on the bonds.""				
4	<b>SECTION 2.</b> G.S. 105-538 reads as rewritten:				
5					
6	(a) <u>Administration. – The Secretary shall, on a monthly basis, allocate to each taxing</u>				
7					
8	this Article in a month and the taxes cannot be identified as being attributable to a particular				
9	taxing county, the Secretary must allocate the net proceeds of these taxes among the taxing				
10	counties in proportion to the amount of taxes collected in each county under this Article in that				
11	month. For purposes of this Article, the term "net proceeds" has the same meaning as defined in				
12					
13					
14	1				
15	is an administrative provision that applies to this A				
16 17	apply to the sales price of food that is exempt from sales price of a bundled transaction taxable pursua				
17	not divide the amount allocated to a county betwee	· · · · · · · · · · · · · · · · · · ·			
18 19	county.	in the county and the municipanties wrunn the			
20	•	eds of a tax levied under this Article only for			
20	one or more of the following, as indicated on				
22	<u>G.S. 105-537(c):</u>	and canot question presented parsault to			
23	Use	Ballot Language			
24	Any public purpose	Any public purpose			
25	Public education purposes	Only public education purposes			
26	Public school capital outlay purpose				
27		purposes			
28	Teacher salary supplements	Only supplements of classroom			
29		teacher salaries			
30	Community college support	Only financial support of community			
31		<u>colleges</u>			
32	(c) <u>Definitions. – For purposes of this sect</u>	• • • • • •			
33	· · · · ·	yee of a local board of education employed as			
34	-	eventy percent (70%) of his or her work time			
35	in classroom instruction.	105 450			
36	$(2) \qquad \underbrace{\text{Net proceeds.} - \text{Defined in G.S.}}_{\text{OD}}$				
37	(3) <u>Public education purposes. – An</u>				
38 39	<u>a.</u> <u>Public school capital ou</u>				
39 40	<u>b.</u> <u>Supplements of classroo</u> <u>Einancial support of</u>				
40 41		community colleges, including funds to ial support of community colleges.			
42		ay purposes. – Purposes defined in			
43		iring any indebtedness incurred by the county			
44	for these purposes."	ing any indebtedness meaned by the county			
45	<b>SECTION 3.</b> G.S. 159-61(d) reads as rewritten:				
46	"(d) The Except as modified for combined ballot questions pursuant to G.S. 105-537(d),				
47	the form of the question as stated on the ballot shall be in substantially the following words:				
48	"Shall the order authorizing \$ bonds plus interest for (briefly stating the purpose) and				
49	providing that additional taxes may be levied in an amount sufficient to pay the principal of and				
50	interest on the bonds be approved?				
51	[ ] YES	[] NO""			