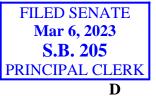
GENERAL ASSEMBLY OF NORTH CAROLINA SESSION 2023



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SENATE BILL DRS45086-NIxf-101

	Short Title:	Rutherfordton Local Option Sales Tax.	(Local)	
	Sponsors:	Senator Moffitt (Primary Sponsor).		
-	Referred to:	Referred to:		
1		A BILL TO BE ENTITLED		
2	AN ACT TO	A BILL TO BE ENTITLED D AUTHORIZE THE LEVY OF A MUNICIPAL ONE-QUARTER P	ERCENT	
3		AND USE TAX.		
4		Assembly of North Carolina enacts:		
5		ECTION 1. Subchapter VIII of Chapter 105 of the General Statutes is am	ended by	
6		Article to read:	j	
7	U	"Article 47.		
8		"First One-Quarter Cent ($1/4\phi$) Municipal Sales and Use Tax.		
9	" <u>§ 105-540. S</u>			
10		cle is the First One-Quarter Cent (1/4¢) Municipal Sales and Use Tax Act	<u>.</u>	
11	"§ 105-541.]		-	
12	(a) Au	uthority. – If the majority of those voting in a referendum held pursua	nt to this	
13		for the levy of the tax, the governing body of the municipality may, by r		
14	and after 10 d	days' public notice, levy a local sales and use tax at a rate of one-quarte	er percent	
15	(1/4%) in addition to any other State and local sales and use taxes levied pursuant to law.			
16	(b) Vote The governing body of the municipality may direct the county board of			
17	elections to co	onduct an advisory referendum on the question of whether to levy a local	sales and	
18	use tax in the	municipality as provided in this Article. The election shall be held on a da	te jointly	
19	agreed upon	by the governing body of the municipality and the county board of elec	tions and	
20	shall be held	in accordance with the procedures of G.S. 163-287.		
21	<u>(c)</u> <u>Ba</u>	allot Question The form of the question to be presented on a ballot for	a special	
22	election conce	erning the levy of the tax authorized by this Article shall be:		
23		<u>"[]FOR []AGAINST</u>		
24	La	ocal sales and use tax at the rate of one-quarter percent (1/4%) in addit	ion to all	
25	other State an	d local sales and use taxes for the purposes of public safety, economic deve	elopment,	
26	and public fac			
27	" <u>§ 105-542.</u> .	Administration.		
28		provided in this Article, the adoption, levy, collection, administration, a		
29	of the additio	onal taxes authorized by this Article shall be in accordance with Article 3	<u>39 of this</u>	
30		erences to "county," "counties," or "board of county commissioners" with		
31	39 of this C	hapter shall be interpreted as referring to "municipality," "municipal	ities," or	
32	"governing b	ody of the municipality," respectively, for purposes of the tax authorize	d by this	
33		105-468.1 is an administrative provision that applies to this Article. A t		
34		ticle does not apply to the sales price of food that is exempt from tax pu		
35		.13B or to the sales price of a bundled transaction taxable pur	suant to	
36	<u>G.S. 105-467</u>	(a)(5a).		



	General Assembly Of North Carolina Session 202		
1	"§ 105-543. Distribution and use.		
2	(a) <u>Distribution. – The Secretary shall, on a monthly basis, distribute to each taxing</u>		
3	municipality for which the Secretary collects the tax the net proceeds, as defined in G.S. 105-472,		
4	of the tax collected in that municipality under this Article. If the Secretary collects local sales		
5	and use taxes in a month and the taxes cannot be identified as being attributable to a particular		
6	taxing municipality, the Secretary shall allocate the taxes among the taxing municipalities in		
7	proportion to the amount of taxes collected in each municipality under this Article during that		
8	month and shall include them in the monthly distribution. Amounts collected by electronic funds		
9	transfer payments are included in the distribution for the month in which the return that applies		
10	to the payment is received.		
11	(b) Use. – A municipality may use the net proceeds of a tax levied under this Article for		
12	the purposes of public safety, economic development, and public facilities."		
13	SECTION 2. This act applies to the Town of Rutherfordton only.		
14	SECTION 3. This act is effective when it becomes law.		