

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1989

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HOUSE BILL 330*

Short Title: Repeal Obsolete Tax Exemptions.

(Public)

Sponsors: Representatives Diamont, S. Thompson, and Wiser.

Referred to: Finance.

February 23, 1989

A BILL TO BE ENTITLED

AN ACT TO REPEAL OBSOLETE CORPORATE FRANCHISE TAX
EXEMPTIONS.

The General Assembly of North Carolina enacts:

Section 1. G.S. 105-129.1 is repealed.

Sec. 2. G.S. 105-120(b) reads as rewritten:

"(b) An annual franchise or privilege tax of three and twenty-two hundredths percent (3.22%), payable quarterly, on the gross receipts of such business entity, is herein imposed for the privilege of engaging in such business within this State. Provided, however, gross receipts from local telephone service shall not include telecommunications access charges. Such gross receipts shall include all rentals and other similar charges; charges. ~~Provided, where any city or town in the State has heretofore sold at public auction to the highest bidder the right, license and/or privilege of engaging in such business in such city or town, based upon a percentage of gross revenue of such business entity, and is now collecting and receiving therefor a revenue tax not exceeding one percent of such revenues, the amount so paid by such business entity, upon being certified by the treasurer of such municipality to the Secretary of Revenue, shall be from time to time credited by the Secretary of Revenue to such business entity upon the tax imposed by the State under this section of this Chapter.~~ Telecommunications access charges are those charges paid to a provider of local telephone service for access to an interconnection with the local telephone exchange."

Sec. 3. This act does not affect the rights or liabilities of the State, a taxpayer, or other person arising under a statute repealed by this act before its repeal; nor does it

1 affect the right to any refund or credit of a tax that would otherwise have been available
2 under the repealed statute before its repeal.
3 Sec. 4. This act is effective for taxable years beginning on or after January 1,
4 1989.