

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2003

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HOUSE BILL 1739

Short Title: Credit for Skilled Nursing Facility Fee. (Public)

Sponsors: Representatives Allred; Capps, Eddins, Moore, Pate, and C. Wilson.

Referred to: Finance.

May 27, 2004

1 A BILL TO BE ENTITLED
2 AN ACT TO PROVIDE A REFUNDABLE INDIVIDUAL INCOME TAX CREDIT
3 TO OFFSET THE SKILLED NURSING FACILITY FEE IMPOSED IN 2003.

4 The General Assembly of North Carolina enacts:

5 SECTION 1. Part 2 of Article 4 of Chapter 105 of the General Statutes is
6 amended by adding a new section to read:

7 "**§ 105-151.29. Credit for skilled nursing facility fees.**

8 (a) Credit. – A taxpayer is allowed a credit against the tax imposed by this Part if
9 the taxpayer cannot be claimed as a dependent of another taxpayer and resided for part
10 or all of the taxable year in a skilled nursing facility licensed under Chapter 131E of the
11 General Statutes. The credit is equal to nine dollars (\$9.00) times the number of days
12 the taxpayer resided in the facility during the taxable year, but may not exceed the
13 amount that was paid by the taxpayer during the taxable year for services rendered by
14 the facility and was not reimbursed by an insurer or a government program.

15 (b) No Double Benefit. – No credit is allowed for payments that are deducted
16 from, or not included in, the taxpayer's gross income for the taxable year.

17 (c) Credit Refundable. – If the credit allowed by this section exceeds the amount
18 of tax imposed by this Part for the taxable year reduced by the sum of all credits
19 allowable, the Secretary must refund the excess to the taxpayer. The refundable excess
20 is governed by the provisions governing a refund of an overpayment by the taxpayer of
21 the tax imposed in this Division. In computing the amount of tax against which multiple
22 credits are allowed, nonrefundable credits are subtracted before refundable credits."

23 SECTION 2. This act becomes effective for taxable years beginning on or
24 after January 1, 2005.