

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2013

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HOUSE BILL 242  
Committee Substitute Favorable 4/17/13

Short Title: Volunteer Fire Dept. Sales Tax Refund Change.

(Public)

Sponsors:

Referred to:

March 7, 2013

1 A BILL TO BE ENTITLED  
2 AN ACT TO MAKE TECHNICAL, ADMINISTRATIVE, AND CLARIFYING CHANGES  
3 TO THE SALES TAX REFUND FOR VOLUNTEER FIRE DEPARTMENTS AND  
4 VOLUNTEER EMERGENCY MEDICAL SERVICES SQUADS.

5 The General Assembly of North Carolina enacts:

6 SECTION 1. G.S. 105-164.14(b)(2a) reads as rewritten:

7 "(b) Nonprofit Entities and Hospital Drugs. – A nonprofit entity is allowed a semiannual  
8 refund of sales and use taxes paid by it under this Article on direct purchases of tangible  
9 personal property and services, other than electricity, telecommunications service, and ancillary  
10 service, for use in carrying on the work of the nonprofit entity. Sales and use tax liability  
11 indirectly incurred by a nonprofit entity on building materials, supplies, fixtures, and equipment  
12 that become a part of or annexed to any building or structure that is owned or leased by the  
13 nonprofit entity and is being erected, altered, or repaired for use by the nonprofit entity for  
14 carrying on its nonprofit activities is considered a sales or use tax liability incurred on direct  
15 purchases by the nonprofit entity. A request for a refund must be in writing and must include  
16 any information and documentation required by the Secretary. A request for a refund for the  
17 first six months of a calendar year is due the following October 15; a request for a refund for  
18 the second six months of a calendar year is due the following April 15.

19 The refunds allowed under this subsection do not apply to an entity that is owned and  
20 controlled by the United States or to an entity that is owned or controlled by the State and is not  
21 listed in this subsection. A hospital that is not listed in this subsection is allowed a semiannual  
22 refund of sales and use taxes paid by it on medicines and drugs purchased for use in carrying  
23 out its work. The following nonprofit entities are allowed a refund under this subsection:

24 ...  
25 (2a) Volunteer fire departments and volunteer emergency medical services  
26 squads that are ~~An organization that is exempt from income tax under the~~  
27 ~~Code and is one or more of the following:~~

- 28 a. ~~A volunteer fire department.~~ Exempt from income tax under the  
29 Code.  
30 b. ~~A volunteer emergency medical services squad.~~ Financially  
31 accountable to a city as defined in G.S. 160A-1, a county, or a group  
32 of cities and counties.

33 ...."

34 SECTION 2. This act becomes effective July 1, 2013, and applies to sales made on  
35 or after that date.



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