

NORTH CAROLINA GENERAL ASSEMBLY
1981 SESSION

CHAPTER 1223
HOUSE BILL 1438

AN ACT TO EQUALIZE THE RATE OF INTEREST ON TAX REFUNDS AND TAX ASSESSMENTS, AND TO SET THE RATE OF INTEREST ON TAX REFUNDS AND TAX ASSESSMENTS.

The General Assembly of North Carolina enacts:

Section 1. G.S. 105-163.16(c) is amended by deleting the phrase "of six percent (6%) per annum" in the fourth sentence of the subsection and substituting the phrase "established in G.S. 105-241.1(i) for assessments" in lieu thereof.

Sec. 2. G.S. 105-266 is amended by deleting the phrase "of six percent (6%) per annum" in the first sentence of the section and substituting the phrase "established in G.S. 105-241.1(i) for assessments" in lieu thereof.

Sec. 3. G.S. 105-163.9(a) is amended by deleting the phrase "of six percent (6%) per annum" in that subsection and substituting the phrase "established in G.S. 105-241.1(i) for assessments" in lieu thereof.

Sec. 4. G.S. 105-241.1(i) is amended by rewriting the first paragraph of the subsection to read:

"All assessments of taxes or additional taxes, exclusive of penalties assessed thereon, shall bear interest from the time the taxes or additional taxes were due until paid. The Secretary of Revenue shall set the rate of interest as follows: The Secretary shall, no later than December 1 of any year, set the rate to be in effect for the succeeding calendar year at the rate that will be in effect on January 1 of the succeeding year under the provisions of the Internal Revenue Code, or at a different rate, taking current market conditions into consideration. The rate established by the Secretary may not be less than five percent (5%) per year and may not exceed sixteen percent (16%) per year. For refunds and assessments made between July 1, 1982, and December 31, 1982, the rate shall be twelve percent (12%) per year."

Sec. 5. This act shall become effective July 1, 1982, and shall apply to refunds and assessments made on and after that date.

In the General Assembly read three times and ratified, this the 18th day of June, 1982.