

NORTH CAROLINA GENERAL ASSEMBLY
1981 SESSION

CHAPTER 4
HOUSE BILL 16

AN ACT TO PROVIDE A MECHANISM FOR DISTRIBUTION OF INTANGIBLES TAX, LOCAL GOVERNMENT SALES AND USE TAX, AND MECKLENBURG COUNTY SALES AND USE TAX WHEN THE VALUATION OF A PUBLIC SERVICE COMPANY IS UNDER APPEAL.

The General Assembly of North Carolina enacts:

Section 1. G.S. 105-213(a) is amended by adding the following sentence at the end of the fourth paragraph:

"For the purpose of computing the distribution of the intangibles tax to any county and the municipalities located therein for any year with respect to which the property valuation of a public service company is the subject of an appeal pursuant to the provisions of the Machinery Act, or to applicable provisions of federal law, and the Department of Revenue is restrained by operation of law or by a court of competent jurisdiction from certifying such valuation to the county and municipalities therein, the department shall use the last property valuation of such public service company which has been so certified in order to determine the ad valorem tax levies applicable to such public service company in the county and the municipalities therein."

Sec. 2 G.S. 105-472(2) is amended by adding the following sentence at the end:

"For the purpose of computing the distribution of the tax under this subsection to any county and the municipalities located therein for any quarter with respect to which the property valuation of a public service company is the subject of an appeal pursuant to the provisions of the Machinery Act, or to applicable provisions of federal law, and the Department of Revenue is restrained by operation of law or by a court of competent jurisdiction from certifying such valuation to the county and the municipalities therein, the department shall use the last property valuation of such public service company which has been so certified in order to determine the ad valorem tax levies applicable to such public service company in the county and the municipalities therein."

Sec. 3. Chapter 1096 of the 1967 Session Laws is amended by adding the following sentences to the end of Section 9:

"For the purpose of computing the distribution of the tax under this section to Mecklenburg County and the municipalities located therein for any quarter with respect to which the property valuation of a public service company is the subject of an appeal pursuant to the provisions of the Machinery Act, or to applicable provisions of federal law, and the Department of Revenue is restrained by operation of law or by a court of competent jurisdiction from certifying such valuation to the county and the

municipalities therein, the Department shall use the last property valuation of such public service company which has been so certified in order to determine the ad valorem tax levies applicable to such public service company in the county and the municipalities therein."

Sec. 4 This act shall become effective July 1, 1981.

In the General Assembly read three times and ratified, this the 5th day of February, 1981.