

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 1997

SESSION LAW 1998-134
HOUSE BILL 1617

AN ACT TO EXTEND THE INCOME TAX CREDIT FOR POULTRY
COMPOSTING FACILITIES TO CORPORATE ENTITIES AND TO REMOVE
THE SUNSET FOR THE INDIVIDUAL INCOME TAX CREDIT.

The General Assembly of North Carolina enacts:

Section 1. Division I of Article 4 of Chapter 105 of the General Statutes is amended by adding a new section to read:

"§ 105-130.44. Credit for construction of poultry composting facility.

A taxpayer who constructs in this State a poultry composting facility, as defined in G.S. 106-549.51 for the composting of whole, unprocessed poultry carcasses from commercial operations in which poultry is raised or produced, is allowed as a credit against the tax imposed by this Division an amount equal to twenty-five percent (25%) of the installation, materials, and equipment costs of construction paid during the taxable year. This credit may not exceed one thousand dollars (\$1,000) for any single installation. The credit allowed by this section may not exceed the amount of tax imposed by this Division for the taxable year reduced by the sum of all credits allowable, except payments of tax by or on behalf of the taxpayer. The credit allowed by this section does not apply to costs paid with funds provided the taxpayer by a State or federal agency."

Section 2. G.S. 105-151.25(a) reads as rewritten:

"(a) Credit. – A taxpayer ~~or Subchapter S corporation~~ who constructs in this State a poultry composting facility as defined in G. S. 106-549.51 for the composting of whole, unprocessed poultry carcasses from commercial operations in which poultry is raised or produced is allowed as a credit against the tax imposed by this Division an amount equal to twenty-five percent (25%) of the installation, materials, and equipment costs of construction paid during the taxable year. This credit may not exceed one thousand dollars (\$1,000) for any single installation. The credit allowed by this section may not exceed the amount of tax imposed by this Division for the taxable year reduced by the sum of all credits allowable, except payments of tax by or on behalf of the taxpayer. The credit allowed by this section does not apply to costs paid with funds provided the taxpayer by a State or federal agency."

Section 3. Section 4 of Chapter 543 of the 1995 Session Laws reads as rewritten:

"Sec. 4. Section 1 of this act becomes effective for taxable years beginning on or after January 1, 1995, and ~~expires for taxable years beginning on or after January 1, 1998-1995.~~ The remainder of this act is effective upon ratification."

Section 4. Section 1 of this act is effective for taxable years beginning on or after January 1, 1998. The remainder of this act is effective when it becomes law.

In the General Assembly read three times and ratified this the 2nd day of September, 1998.

s/ Dennis A. Wicker
President of the Senate

s/ Harold J. Brubaker
Speaker of the House of Representatives

s/ James B. Hunt, Jr.
Governor

Approved 10:22 a.m. this 11th day of September, 1998