§ 105-130.2. Definitions.
The following definitions apply in this Part:

(1) Affiliate. – A corporation is an affiliate of another corporation when both are
directly or indirectly controlled by the same parent corporation or by the
same or associated financial interests by stock ownership, interlocking
directors, or by any other means whatsoever, whether the control is direct or
through one or more subsidiary, affiliated, or controlled corporations.

(2) Code. – Defined in G.S. 105-228.90.

(3) Corporation. – A joint-stock company or association, an insurance company,
a domestic corporation, a foreign corporation, or a limited liability company.

(4) C Corporation. – A corporation that is not an S Corporation.

(5) Department. – The Department of Revenue.

(6) Domestic corporation. – A corporation organized under the laws of this
State.

(7) Fiscal year. – An income year, ending on the last day of any month other
than December. A corporation that pursuant to the provisions of the Code
has elected to compute its federal income tax liability on the basis of an
annual period varying from 52 to 53 weeks shall compute its taxable income
under this Part on the basis of the same period used by the corporation in
computing its federal income tax liability for the income year.

(8) Foreign corporation. – Any corporation other than a domestic corporation.

(9) Gross income. – Defined in section 61 of the Code.

(10) Income year. – The calendar year or the fiscal year upon the basis of which
the net income is computed under this Part. If no fiscal year has been
established, the income year is the calendar year. In the case of a return
made for a fractional part of a year under the provisions of this Part or under
rules adopted by the Secretary, the income year is the period for which the
return is made.

(11) Limited liability company. – Either a domestic limited liability company
organized under Chapter 57D of the General Statutes or a foreign limited
liability company authorized by that Chapter to transact business in this
State that is classified for federal income tax purposes as a corporation. As
applied to a limited liability company that is a corporation under this Part,
the term "shareholder" means a member of the limited liability company and
the term "corporate officer" means a member or manager of the limited
liability company.

(12) Parent. – A corporation is a parent of another corporation when, directly or
indirectly, it controls the other corporation by stock ownership, interlocking
directors, or by any other means whatsoever exercised by the same or
associated financial interests, whether the control is direct or through one or
more subsidiary, affiliated, or controlled corporations.

(13) S Corporation. – Defined in G.S. 105-131(b).

(14) Secretary. – The Secretary of Revenue.

(15) State net income. – The taxpayer's federal taxable income as determined
under the Code, adjusted as provided in G.S. 105-130.5 and, in the case of a
corporation that has income from business activity that is taxable both within
and without this State, allocated and apportioned to this State as provided in
G.S. 105-130.4.
(16) Subsidiary. – A corporation is a subsidiary of another corporation when, directly or indirectly, it is subject to control by the other corporation by stock ownership, interlocking directors, or by any other means whatsoever exercised by the same or associated financial interest, whether the control is direct or through one or more subsidiary, affiliated, or controlled corporations.

(17) Taxable year. – Income year.

(18) Taxpayer. – A corporation subject to the tax imposed by this Part. (1939, c. 158, s. 302; 1941, c. 50, s. 5; 1955, c. 1331, s. 2; 1957, c. 1340, s. 4; 1963, c. 1169, s. 2; 1967, c. 1110, s. 3; 1973, c. 476, s. 193; 1983, c. 713, ss. 68, 82; 1985, c. 656, s. 7; 1985 (Reg. Sess., 1986), c. 853, s. 1; 1987, c. 778, s. 1; 1987 (Reg. Sess., 1988), c. 1015, s. 3; 1989, c. 36, s. 3; 1989 (Reg. Sess., 1990), c. 981, s. 3; 1991, c. 689, s. 257; 1991 (Reg. Sess., 1992), c. 922, s. 4; 1993, c. 12, s. 5; c. 354, s. 12; 1995, c. 17, s. 3; 1998-98, s. 69; 2006-162, s. 3(a); 2012-79, s. 1.14(b); 2013-157, s. 27.)