

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1993

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HOUSE BILL 852*

Short Title: Wallace Franchise Tax Sharing.

(Public)

Sponsors: Representative Alphin.

Referred to: Finance.

April 12, 1993

A BILL TO BE ENTITLED

1 AN ACT TO PROVIDE THAT FOR THE PURPOSE OF APPROPRIATIONS FOR
2 FRANCHISE TAX SHARING WITH MUNICIPALITIES, THE TWO PLANTS
3 ADJACENT TO THE CORPORATE LIMITS OF THE TOWN OF WALLACE
4 SHALL BE CONSIDERED INSIDE THE TOWN OF WALLACE.
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6 The General Assembly of North Carolina enacts:

7 Section 1. G.S. 105-116(d) reads as rewritten:

8 "(d) Appropriation. – There is annually appropriated from the General Fund to
9 each municipality an amount that equals three and nine hundredths percent (3.09%) of
10 the taxable gross receipts derived, from April 1, 1990, to March 31, 1991, by an electric
11 power company and a natural gas company from sales within the municipality of the
12 commodities and services described in subsection (a). There is annually appropriated
13 from the General Fund to the Town of Wallace an amount equal to three and nine
14 hundredths percent (3.09%) of the taxable gross receipts derived, from April 1, 1990, to
15 March 31, 1991, by an electric power company and a natural gas company from sales of
16 the commodities and services described in subsection (a) to two plants owned and
17 operated by Delta Woodside Industries, Inc., and located adjacent to the corporate limits
18 of the town. The Secretary of Revenue shall transfer the amount appropriated to a
19 municipality in quarterly installments on or before September 15, December 15, March
20 15, and June 15 in proportion to the taxable gross receipts derived within the
21 municipality during the preceding calendar quarter. If a company's report does not state
22 the company's taxable gross receipts derived within a municipality, the Secretary of
23 Revenue shall determine a practical method of allocating part of the company's taxable
24 gross receipts to the municipality. Before transferring the amount appropriated by this

1 subsection, the Secretary of Revenue shall certify the amount to be transferred to the
2 State Controller. The appropriation made by this subsection shall be included in the
3 Current Operations Appropriations Act.

4 As used in this subsection, the term "municipality" includes an urban service district
5 defined by the governing board of a consolidated city-county. The amount due an urban
6 service district shall be distributed to the governing board of the consolidated city-
7 county."

8 Sec. 2. This act becomes effective July 1, 1993.