

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2007

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HOUSE BILL 2335  
Committee Substitute Favorable 5/29/08

Short Title: Expand Small Business Health Benefits Credit.

(Public)

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Sponsors:

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Referred to:

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May 21, 2008

A BILL TO BE ENTITLED

AN ACT TO INCREASE THE CREDIT FOR SMALL BUSINESS EMPLOYEE  
HEALTH BENEFITS AND TO EXTEND THE SUNSET.

The General Assembly of North Carolina enacts:

**SECTION 1.** G.S. 105-129.16E reads as rewritten:

**"§ 105-129.16E. Credit for small business employee health benefits.**

(a) Credit. – A small business that provides health benefits for all of its eligible employees during the taxable year is allowed a credit to offset its costs in providing health benefits for its eligible employees. For the purposes of this subsection, a taxpayer provides health benefits if it pays at least fifty percent (50%) of the premiums for health care coverage that equals or exceeds the minimum provisions of the basic health care plan of coverage recommended by the Small Employer Carrier Committee pursuant to G.S. 58-50-125 or if its employees have qualifying existing coverage.

The credit is equal to a dollar amount per eligible employee whose total wages or salary received from the business does not exceed forty thousand dollars (\$40,000) on an annual basis. The dollar amount is ~~two hundred fifty dollars (\$250.00)~~, three hundred dollars (\$300.00), not to exceed the taxpayer's costs of providing health benefits for the employee during the taxable year.

(b) Allocation. – If the taxpayer is an individual who is a nonresident or a part-year resident, the taxpayer must reduce the amount of the credit by multiplying it by the fraction calculated under G.S. 105-134.5(b) or (c), as appropriate. If the taxpayer is not an individual and is required to apportion its multistate business income to this State, the taxpayer must reduce the amount of the credit by multiplying it by the apportionment fraction used to apportion its apportionable income to this State.

(c) Definitions. – The following definitions apply in this section:

(1) Eligible employee. – Defined in G.S. 58-50-110.

(2) Qualifying existing coverage. – Defined in G.S. 58-50-130(a)(4a).

(3) Small business. – A taxpayer that employs no more than 25 eligible employees throughout the taxable year.

1       (d)    Sunset. – This section expires for taxable years beginning on or after January  
2   1, ~~2009~~2014."

3           **SECTION 2.** This act is effective for taxable years beginning on or after  
4   January 1, 2009.