

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009

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SENATE BILL 99

Short Title: Internet Ticket Resale Amendments. (Public)

Sponsors: Senator Hartsell.

Referred to: Finance.

February 11, 2009

A BILL TO BE ENTITLED

AN ACT TO EXTEND AND AMEND AN ACT TO PROTECT CUSTOMERS
PURCHASING TICKETS VIA THE INTERNET, AND TO IMPOSE A PRIVILEGE
LICENSE TAX ON GROSS RECEIPTS RECEIVED TO THE EXTENT THEY EXCEED
FACE VALUE OF THE TICKET.

The General Assembly of North Carolina enacts:

SECTION 1. Section 4 of S.L. 2008-158 reads as rewritten:

"SECTION 4. This act becomes effective August 1, 2008, and expires ~~June 30, 2009.~~ June 30, 2011. ~~The expiration of this act does not relieve a person's liability to file the report required under G.S. 14-344.1(e) for gross receipts received in June 2009.~~ Liability for acts or omissions before the expiration date of this act are not abated or affected by the expiration. Section 3 of this act applies to offenses committed on or after that date."

SECTION 2. G.S. 14-344.1(e) is repealed effective June 30, 2009, but the repeal does not relieve a person's liability to file the report required by that subsection for gross receipts received in June 2009.

SECTION 3. G.S. 105-37.1(a) and (b) read as rewritten:

"(a) Scope. – A privilege tax is imposed on the gross receipts of a person who is engaged in any of the following:

- (1) Giving, offering, or managing a dance or an athletic contest for which an admission fee in excess of fifty cents (50¢) is charged.
- (2) Giving, offering, or managing a form of amusement or entertainment that is not taxed by another provision of this Article and for which an admission fee is charged.
- (3) Exhibiting a performance, show, or exhibition, such as a circus or dog show, that is not taxed by another provision of this Article.
- (4) Reselling or offering to resell admission tickets on the Internet under G.S. 14-344.1.

(b) Rate and Payment. – The rate of the privilege tax is three percent (3%) of the gross receipts from the activities described in subsection (a) of this section. For taxes imposed under subdivision (a)(4) of this section, gross receipts exclude the price printed on the face of the ticket. The tax is due when a return is due. A return is due by the 10th day after the end of each month and covers the gross receipts received during the previous month."

SECTION 4. Sections 1, 2, and 4 of this act are effective when they become law. Section 3 of this act becomes effective July 1, 2009.

