GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2013

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SENATE BILL 185

Short Title:	Extend Sunset for Earned Income Tax Credit.	(Public)
Sponsors:	Senators McLaurin, Stein (Primary Sponsors); Blue, Bryant, D. Davis, Ford, Graham, and Woodard.	
Referred to:	Rules and Operations of the Senate.	

March 6, 2013

A BILL TO BE ENTITLED

AN ACT TO EXTEND THE SUNSET FOR THE EARNED INCOME TAX CREDIT.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 105-151.31 reads as rewritten:

"**§ 105-151.31. Earned income tax credit.**

(a) Credit. – An individual who claims for the taxable year an earned income tax credit under section 32 of the Code is allowed a credit against the tax imposed by this Part equal to five percent (5%) of the amount of credit the individual qualified for under section 32 of the Code. A nonresident or part-year resident who claims the credit allowed by this section 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.

(b) Credit Refundable. – If the credit allowed by this section exceeds the amount of tax imposed by this Part for the taxable year reduced by the sum of all credits allowable, the Secretary must refund the excess to the taxpayer. The refundable excess is governed by the provisions governing a refund of an overpayment by the taxpayer of the tax imposed in this Part. Section 3507 of the Code, Advance Payment of Earned Income Credit, does not apply to the credit allowed by this section. In computing the amount of tax against which multiple credits are allowed, nonrefundable credits are subtracted before refundable credits.

(c) Sunset. – This section is repealed effective for taxable years beginning on or after January 1, ~~2014.~~2019."

SECTION 2. This act is effective when it becomes law.