

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2009

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HOUSE DRH50083-MA-205 (2/16)

Short Title: ABC Recycling Tax Credit.

(Public)

Sponsors: Representative Gibson.

Referred to:

1 A BILL TO BE ENTITLED  
2 AN ACT TO PROVIDE A TAX CREDIT TO ABC PERMITTEES WHO ARE REQUIRED  
3 TO RECYCLE BEVERAGE CONTAINERS.

4 The General Assembly of North Carolina enacts:

5 SECTION 1. Part 1 of Article 4 of Chapter 105 of the General Statutes is amended  
6 by adding a new section to read:

7 "**§ 105-130.49. Credit for recycling beverage containers.**

8 (a) Credit. – A taxpayer who is required to recycle beverage containers under  
9 G.S. 18B-1006.1 is eligible for a credit against the tax imposed by this Part. The amount of the  
10 credit varies based upon the taxpayer's recycling collection cost. A taxpayer's recycling  
11 collection cost is the amount the taxpayer paid during the calendar year to a public or private  
12 entity for the collection or disposal of beverage containers required to be recycled under  
13 G.S. 18B-1006.1.

<u>Annual Recycling Collection Cost</u>	<u>Amount of Credit</u>
Up to \$750	0
\$750-\$1,500	\$250
Over \$1,500	\$500.

14 (b) Limitation. – The credit allowed under this section may not exceed the amount of  
15 tax imposed by this Part for the taxable year reduced by the sum of all credits allowable, except  
16 tax payment made by or on behalf of the taxpayer.

17 (c) Documentation of Credit. – Upon request, to support the credit allowed by this  
18 section, the taxpayer must file with its income tax return, for the taxable year in which the  
19 credit is claimed, any information or records required by the Secretary of Revenue.

20 (d) Sunset. – This section is repealed effective for taxable years beginning on or after  
21 January 1, 2013.

22 SECTION 2. Part 2 of Article 4 of Chapter 105 of the General Statutes is amended  
23 by adding a new section to read:

24 "**§ 105-151.33. Credit for recycling beverage containers.**

25 (a) Credit. – A taxpayer who is required to recycle beverage containers under  
26 G.S. 18B-1006.1 is eligible for a credit against the tax imposed by this Part. The amount of the  
27 credit varies based upon the taxpayer's recycling collection cost. A taxpayer's recycling  
28 collection cost is the amount the taxpayer paid during the calendar year to a public or private  
29 entity for the collection or disposal of beverage containers required to be recycled under  
30 G.S. 18B-1006.1.

<u>Annual Recycling Collection Cost</u>	<u>Amount of Credit</u>
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1	<u>Up to \$750</u>	<u>0</u>
2	<u>\$750-\$1,500</u>	<u>\$250</u>
3	<u>Over \$1,500</u>	<u>\$500.</u>

4 (b) Limitation. – The credit allowed under this section may not exceed the amount of  
5 tax imposed by this Part for the taxable year reduced by the sum of all credits allowable, except  
6 tax payment made by or on behalf of the taxpayer.

7 (c) Documentation of Credit. – Upon request, to support the credit allowed by this  
8 section, the taxpayer must file with its income tax return, for the taxable year in which the  
9 credit is claimed, any information or records required by the Secretary of Revenue.

10 (d) Sunset. – This section is repealed effective for taxable years beginning on or after  
11 January 1, 2014."

12 **SECTION 3.** This act becomes effective for taxable years beginning on or after  
13 January 1, 2009.