

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009

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SENATE BILL 1366

Short Title: Additional Payments on Delayed Refunds. (Public)

Sponsors: Senators Berger of Rockingham; Allran, Apodaca, Bingham, Brock, Brown, Brunstetter, East, Forrester, Jacumin, Preston, Rouzer, Rucho, and Tillman.

Referred to: Finance.

May 25, 2010

A BILL TO BE ENTITLED

AN ACT TO REQUIRE THE PAYMENT OF ADDITIONAL AMOUNTS FOR CERTAIN DELAYS OF INCOME TAX REFUNDS.

The General Assembly of North Carolina enacts:

SECTION 1. Article 9 of Chapter 105 of the General Statutes is amended by adding a new section to read:

"§ 105-241.24. Additional payments on delayed refunds.

In addition to the interest set forth in G.S. 105-142.21 of this Article, the Secretary shall pay an amount equally to ten percent (10%) of the refund, subject to a minimum of five dollars (\$5.00), if the refund is not paid from a date 45 days after the latest of the following dates:

- (1) The date the final return was filed.
- (2) The date the final return was due to be filed.
- (3) The date of the overpayment of a tax levied under Article 4 or Article 8B of this Chapter, as determined in accordance with section 6611(d), (f), (g), and (h) of the Code."

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

