

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009**

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SENATE BILL 313*

Short Title: Community College Sales Tax Refund. (Public)

Sponsors: Senators Swindell; Apodaca, Atwater, Bingham, Brunstetter, Davis, Dorsett, Forrester, Goss, Graham, Hunt, Jacumin, Jones, McKissick, Rouzer, Stevens, Tillman, and Vaughan.

Referred to: Appropriations/Base Budget.

February 26, 2009

A BILL TO BE ENTITLED

AN ACT TO CREATE A SALES AND USE TAX REFUND FOR COMMUNITY COLLEGES, AS RECOMMENDED BY THE JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 105-164.14(c) is amended by adding a new subdivision to read:

"(c) Certain Governmental Entities. – A governmental entity listed in this subsection is allowed an annual refund of sales and use taxes paid by it under this Article on direct purchases of tangible personal property and services, other than electricity, telecommunications service, and ancillary service. Sales and use tax liability indirectly incurred by a governmental entity on building materials, supplies, fixtures, and equipment that become a part of or annexed to any building or structure that is owned or leased by the governmental entity and is being erected, altered, or repaired for use by the governmental entity is considered a sales or use tax liability incurred on direct purchases by the governmental entity for the purpose of this subsection. A request for a refund must be in writing and must include any information and documentation required by the Secretary. A request for a refund is due within six months after the end of the governmental entity's fiscal year.

This subsection applies only to the following governmental entities:

...

(20) A constituent institution of The University of North Carolina, but only with respect to sales and use tax paid by it for tangible personal property or services that are eligible for refund under this subsection acquired by it through the expenditure of contract and grant funds.

(20a) A community college as defined in G.S. 115D-2.

(21) The University of North Carolina Health Care System.

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SECTION 2. This act becomes effective July 1, 2009, and applies to purchases made on or after that date.

