

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2015

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HOUSE BILL 388
Committee Substitute Favorable 3/31/15

Short Title: Dare County Local Option Sales Tax.

(Local)

Sponsors:

Referred to:

March 30, 2015

1 A BILL TO BE ENTITLED
2 AN ACT TO MODIFY THE OPTIONS FOR LOCAL SALES TAXES FOR DARE COUNTY
3 FOR DREDGING PURPOSES.

4 The General Assembly of North Carolina enacts:

5 **SECTION 1.** G.S. 105-537 reads as rewritten:

6 "**§ 105-537. Levy; Levy; use.**

7 (a) Authority. – The board of county commissioners may levy a local sales and use tax
8 at the rate of one-quarter percent (0.25%) upon the occurrence of any of the following:

9 (1) By resolution, if a majority of those voting in a special election held
10 pursuant to subsection (b) of this section approve the levy of the local sales
11 and use tax and the county has given not less than 10 days' public notice.

12 (2) By resolution, if no election has been held within five years under the
13 provisions of subsection (b) of this section in which the tax has been
14 defeated and the county has given not less than 10 days' public notice of and
15 held a public hearing.

16 ~~If the majority of those voting in a referendum held pursuant to this Article vote for the levy~~
17 ~~of the tax, the board of county commissioners may, by resolution and after 10 days' public~~
18 ~~notice, levy a local sales and use tax at a rate of one-quarter percent (0.25%).~~

19 ...

20 (d) Use. – A county may use the net proceeds of a tax levied pursuant to subdivision (2)
21 of subsection (a) of this section only for dredging purposes. The use restriction imposed by this
22 subsection shall remain in effect as long as the tax is levied."

23 **SECTION 2.** G.S. 105-537, as amended by Section 1 of this act, reads as rewritten:

24 "**§ 105-537. Levy; use; Levy.**

25 (a) Authority. – ~~The board of county commissioners may levy a local sales and use tax~~
26 ~~at the rate of one-quarter percent (0.25%) upon the occurrence of any of the following:~~

27 (1) ~~By resolution, if~~ By resolution, if a majority of those voting in a special election held
28 pursuant to subsection (b) of this section approve the levy of the local sales
29 and use ~~tax and tax,~~ the board of county commissioners may, by resolution
30 and has given not less than after 10 days' public notice, levy a local
31 sales and use tax at a rate of one-quarter percent (0.25%).

32 (2) ~~By resolution, if no election has been held within five years under the~~
33 ~~provisions subsection (b) of this section in which the tax has been defeated~~
34 ~~and the county has given not less than 10 days' public notice of and held a~~
35 ~~public hearing.~~

36 ...



1 (d) Use.—A county may use the net proceeds of a tax levied pursuant to subdivision (2)
2 of subsection (a) of this section only for dredging purposes. The use restriction imposed by this
3 subsection shall remain in effect as long as the tax is levied."

4 **SECTION 3.** This act applies to Dare County only.

5 **SECTION 4.** Notwithstanding the provisions of G.S. 105-466(c), during the 2015
6 calendar year a tax levied under Article 46 of Chapter 105 of the General Statutes may become
7 effective on the first day of any calendar quarter so long as the county gives the Secretary at
8 least 75 days advance notice of the new tax levy.

9 **SECTION 5.** Section 2 of this act becomes effective January 1, 2020. A tax levied
10 by resolution under G.S. 105-537(a)(2), as enacted by this act, expires the year following
11 completion of the Bonner Bridge replacement project, including the removal of the existing
12 bridge. The remainder of this act is effective when it becomes law.