

GENERAL ASSEMBLY OF NORTH CAROLINA
1987 SESSION

CHAPTER 1039
HOUSE BILL 2648

AN ACT TO CLOSE LOOPHOLES THAT ALLOW HIGH-INCOME TAXPAYERS TO CLAIM THE LOW-INCOME TAX CREDIT AND TO INCREASE THE MAXIMUM FEES THAT CAN BE ESTABLISHED BY THE MANUFACTURED HOUSING BOARD AND THE BOARD OF PHARMACY.

The General Assembly of North Carolina enacts:

Section 1. G.S. 105-151.16 reads as rewritten:

"§ 105-151.16. **General credit for individuals with low or moderate incomes.** – (a) **Credit.** – Except as provided in subsection (b), ~~an individual~~ a taxpayer whose net taxable income for the taxable year falls into one of the income brackets in the table below is allowed a credit against the tax imposed by this Division equal to the figure shown in the table for his income bracket. This credit may not exceed the amount of tax imposed on the ~~individual~~ taxpayer by this Division for the taxable year, reduced by the sum of all credits allowed the ~~individual~~ taxpayer under this Division, except tax payments made by or on behalf of the ~~individual~~ taxpayer.

	Net Taxable Income	Amount of Credit
\$	0 – 5,000	\$ 25
	5,001 – 10,000	20
	10,001 – 15,000	15

As used in this section, the term 'taxpayer' means an individual who is not married, an individual who is married but is not living with his spouse, or a husband and wife who are married and living together and who file a combined return. The marital status of the taxpayer shall be determined as of the end of the taxable year. To calculate the amount of the credit for a husband and wife filing a combined return, their net taxable incomes shall be combined. The credit for which the husband and wife are eligible may be claimed one-half (1/2) by each, or one spouse may, by agreement with the other spouse, claim the entire credit. If either the husband or wife is ineligible for the credit because the restriction in either subdivision (b)(2) or (b)(5) applies, then the other spouse is also ineligible.

(b) **Restrictions.** The following ~~individual taxpayers~~ may not claim the credit allowed by this section:

- (1) An individual who was not a resident of this State and did not live in this State for at least half the taxable ~~year;~~ year.

- (2) An individual who received assistance under the Food Stamp Program, 7 U.S.C. § 51, for the entire taxable ~~year;~~ year.
- (3) An individual who was an inpatient at a hospital facility, as defined in G.S. 131E-16, for at least half the taxable ~~year;~~ year.
- (4) An individual who was in jail or in other official detention for at least half the taxable ~~year;~~ and year.
- (5) An individual who may be claimed as a dependent by another under G.S. 105-149(a)(5).
- (6) An individual who is married, is living with his spouse, and does not file a combined return as provided in G.S. 105-152(e).
- (7) A taxpayer whose gross income for the taxable year exceeds thirty thousand dollars (\$30,000).

(c) 'Net Taxable Income' Defined. – As used in this section, 'net taxable income' means net income less the amount of any personal exemptions allowed the individual."

Sec. 2. G.S. 143-143.11(b) reads as rewritten:

"(b) Application for such license shall be made to the Board at such time, in such form, and contain such information as the Board shall require, and shall be accompanied by the required fee established by the Board. Such fee shall not exceed ~~twenty-five dollars (\$25.00)~~ three hundred dollars (\$300.00) for any license."

Sec. 3. G.S. 143-143.11(f) reads as rewritten:

"(f) Supplemental licenses shall be issued for each place of business, operated or proposed to be operated by the licensee, that is not contiguous to other premises for which a license is issued. The fee for a supplemental license shall be established by the Board and shall not exceed ~~fifty dollars (\$50.00)~~, three hundred dollars (\$300.00), provided that no supplemental license shall be required for a place of business operated by a licensee that is used exclusively for storage."

Sec. 4. G.S. 90-85.24 reads as rewritten:

"§ **90-85.24. Fees collectible by Board.** – The Board of Pharmacy shall be entitled to charge and collect not more than the following fees: for the examination of an applicant for license as a pharmacist, one hundred fifty dollars (\$150.00) plus the cost of the test material; for renewing the license as a pharmacist, ~~forty dollars (\$40.00)~~ sixty-five dollars (\$65.00); for renewing the license of an assistant pharmacist, ten dollars (\$10.00); for licenses without examination as provided in G.S. 90-85.20, original, ~~two hundred dollars (\$200.00)~~ three hundred dollars (\$300.00); for original registration of a drugstore, ~~two hundred dollars (\$200.00)~~ two hundred fifty dollars (\$250.00), and renewal thereof, ~~one hundred dollars (\$100.00)~~ one hundred twenty-five dollars (\$125.00). All fees shall be paid before any applicant may be admitted to examination or his name placed upon the register of pharmacists or before any license or permit, or any renewal thereof, may be issued by the Board."

Sec. 5. It is the intent of the General Assembly that the appropriate House and Senate Appropriations Committees shall continue to consider critical school facility needs and the best ways to meet these critical school facility needs.

Sec. 6. Section 1 of this act is effective for taxable years beginning on or after January 1, 1988. Sections 2 and 3 of this act shall become effective July 1, 1988.

In the General Assembly read three times and ratified this the 5th day of July,
1988.