Article 31.
Tourism Development Authorities.

§ 160A-800. (Repealed effective January 1, 2022 – see note) Definitions.
The following definitions apply in this Article:


(2) PPP loan. – A federal loan enacted under sections 1102 and 1106 of the Coronavirus Aid, Relief, and Economic Security (CARES) Act, P.L. 116-136, and as amended by the Economic Aid Act.

(3) Tourism development authority. – A public authority under the Local Government Budget and Fiscal Control Act established by resolution adopted by the council of a municipality to receive and expend the net proceeds of an occupancy tax. (2021-3, s. 2.19(b).)

§ 160A-801. (Repealed effective January 1, 2022 – see note) Borrowing authority for PPP loans.

(a) Authority. – A tourism development authority may enter into a PPP loan. A tourism development authority shall comply with all the requirements and limitations of the PPP loan program and shall apply for forgiveness of the loan in a timely manner.

(b) No Power to Obligate State or City. – A tourism development authority may not obligate the State or the city that established the authority to repay a PPP loan and has no power to pledge the credit of the State or the city that established the authority.

(c) Notice. – A tourism development authority shall provide written notice to the city council within 30 days of its acceptance of a PPP loan. The notice shall include the loan amount, the covered period, and the date by which the authority must apply for forgiveness.

(d) Repayment. – Notwithstanding any limitation on the use or distribution of occupancy tax proceeds in a local act, a tourism development authority for which a PPP loan is not forgiven, in whole or in part, shall repay the loan, including interest, from occupancy tax proceeds remitted to the authority on or after receipt of the PPP loan proceeds.

(e) Sunset. – This Article is repealed effective January 1, 2022. (2021-3, s. 2.19(b).)