

GENERAL ASSEMBLY OF NORTH CAROLINA
1991 SESSION

CHAPTER 517
HOUSE BILL 1236

AN ACT TO CONFORM THE CRITERIA FOR DESIGNATION AS A DISTRESSED COUNTY FOR INCOME TAX PURPOSES TO THE CRITERIA USED BY THE INDUSTRIAL DEVELOPMENT FUND, TO INCREASE THE NUMBER OF SEVERELY DISTRESSED COUNTIES TO THIRTY-THREE, AND TO REPEAL THE SUNSET.

The General Assembly of North Carolina enacts:

Section 1. G.S. 105-130.40(c) reads as rewritten:

"(c) County Designation. – A severely distressed county is a county designated as ~~such~~ severely distressed by the Secretary of Economic and Community Development. Each year, on or before December 31, the Secretary of Economic and Community Development shall designate which counties are considered severely distressed, and shall provide that information to the Secretary of Revenue. A county is considered severely distressed if its distress factor is one of the ~~twenty-five~~ thirty-three highest in the State. The Secretary shall assign to each county in the State a distress factor ~~which~~ that is the sum of the following:

- (1) The county's rank in a ranking of counties by rate of unemployment from lowest to ~~highest and~~ highest.
- (2) ~~the~~ The county's rank in a ranking of counties by per capita income from highest to lowest.
- (3) The county's rank in a ranking of counties by percentage growth in population from lowest to highest.

In measuring rates of unemployment and per capita income, the Secretary shall use the latest available data from the North Carolina Employment Security Commission and the United States Department of Commerce for the most recent thirty-six month period for which data is available, published by a State or federal agency generally recognized as having expertise concerning the data. In measuring population growth, the Secretary shall use the most recent estimates of population certified by the State Budget Officer. A designation as a severely distressed county is effective only for the calendar year following the designation."

Sec. 2. G.S. 105-151.17(c) reads as rewritten:

"(c) County Designation. – A severely distressed county is a county designated as ~~such~~ severely distressed by the Secretary of Economic and Community Development. Each year, on or before December 31, the Secretary of Economic and Community Development shall designate which counties are considered severely distressed, and shall provide that information to the Secretary of Revenue. A county is considered

severely distressed if its distress factor is one of the ~~twenty-five~~ thirty-three highest in the State. The Secretary shall assign to each county in the State a distress factor ~~which that~~ is the sum of the following:

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Sec. 3. Section 3 of Chapter 568 of the 1987 Session Laws reads as rewritten:

"Sec. 3. This act shall become effective for taxable years beginning on or after ~~January 1, 1988, and shall expire for taxable years beginning on or after January 1, 1993.~~ Notwithstanding the expiration of the credit, an installment of a credit and any unused portion of a credit for which the taxpayer qualified before the act expired shall remain available to the taxpayer, to be taken in accordance with the provisions that applied to the repealed credit. January 1, 1988."

Sec. 4. Sections 1 and 2 of this act are effective for taxable years beginning on or after January 1, 1992. The remainder of this act is effective upon ratification.

In the General Assembly read three times and ratified this the 2nd day of July, 1991.

James C. Gardner
President of the Senate

Daniel Blue, Jr.
Speaker of the House of Representatives