

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

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SENATE BILL 42

Short Title: One-Time Tax Rebate.

(Public)

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Sponsors: Senators Albertson; Gulley and Lucas.

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Referred to: Finance.

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January 26, 1995

A BILL TO BE ENTITLED

1 AN ACT TO PROVIDE A ONE-TIME TAX REBATE TO EACH INDIVIDUAL  
2 TAXPAYER WHO RESIDES IN THIS STATE.  
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4 The General Assembly of North Carolina enacts:

5 Section 1. (a) Taxpayer Rebate. – The Department of Revenue shall implement a  
6 one-time income tax rebate program as provided in this act. For the purpose of this act,  
7 the term "income tax" means the individual income tax levied in Division II of Article 4  
8 of Chapter 105 of the General Statutes. Every individual who was a resident of this State  
9 for part or all of their taxable year beginning in 1994 and who was liable for and paid  
10 income tax for that taxable year before the deadline provided in this act is eligible for an  
11 income tax rebate equal to fifty dollars (\$50.00). In the case of a married couple filing a  
12 joint return, the Department shall treat each spouse as a separate taxpayer for the purpose  
13 of this tax rebate. In the case of a taxpayer who has two taxable years beginning in 1994,  
14 this act applies only to the first of those taxable years.

15 (b) Setoff Debt Collection. – Before paying a rebate pursuant to this act, the  
16 Department of Revenue shall, pursuant to G.S. 105A-5, set off any debts owing a State  
17 agency against the rebate to the same extent as if the rebate were a refund as defined in  
18 G.S. 105A-2. The procedure for setting off debts shall be as provided in Chapter 105A of  
19 the General Statutes.

1 (c) Deadlines. – To qualify for the rebate provided in this act, the taxpayer must  
2 file a final return and pay the entire income tax due for the taxable year within 90 days  
3 after the due date, including any approved filing extensions, of the return. The  
4 Department of Revenue shall pay the rebate by check mailed within 90 days after the  
5 later of (i) September 15, 1995, (ii) the date the return was due, including any approved  
6 filing extensions, or (iii) the date the return was filed and the entire tax was paid. Rebates  
7 paid after this deadline shall bear interest from the date due until paid at the rate  
8 established under G.S. 105-241.1(i). No tax rebate shall be made to a taxpayer who did  
9 not file a final return and pay the entire income tax due for their 1994 taxable year by the  
10 deadline set in this act.

11 (d) Source of Funds for Rebates. – In order to pay for the rebate program provided  
12 in this act, the Department of Revenue shall draw from collections received under  
13 Division II of Article 4 of Chapter 105 of the General Statutes an amount equal to the  
14 cost of the rebates and of administering the rebate program.

15 Sec. 2. This act becomes effective July 1, 1995.