

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2005

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SENATE DRS75403-LY-293 (3/16)

Short Title: Lab Testing Equip. Sales Tax Refund. (Public)

Sponsors: Senator Hartsell.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO PROVIDE FOR A REFUND OF SALES AND USE TAXES TO
MEDICAL LABORATORY TESTING COMPANIES.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 105-164.14 is amended by adding a new subsection to
read:

"(m) Medical Laboratory Testing Companies. – A medical laboratory testing company is allowed an annual refund of fifty percent (50%) of the State sales and use taxes paid by it under this Article on the following items that are not capitalized by the company for tax purposes under the Code and are used or consumed by it directly in its medical laboratory testing business: medical products, medical accessories, reagents, chemicals, test kits, consumable laboratory supplies, and other similar tangible personal property not including machinery and equipment. For the purpose of this subsection, a 'medical laboratory testing company' is a laboratory that is primarily engaged in providing medical analytic or diagnostic services, including bodily fluid analysis, generally to the medical profession, to employers, or to patients on referral from a medical professional or employer, and is certified as a highly or moderately complex laboratory by the United States Health Care Financing Administration. Notwithstanding any other provision of law, the refund allowed in this subsection does not apply to general local sales and use taxes levied under Subchapter VIII of this Chapter, Chapter 1069 of the 1967 Session Laws, or any other local act. A request for a refund must be in writing and must include any information and documentation required by the Secretary. A request for a refund is due within six months after the end of the State's fiscal year. Refunds applied for after the due date are barred. This section is repealed for purchases made on or after July 1, 2010."

SECTION 2. This act becomes effective January 1, 2006, and applies to purchases made on or after that date.