

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1999

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HOUSE BILL 449

Short Title: Farm Baling Equipment Tax Change.

(Public)

Sponsors: Representatives Nye; Warwick, Gibson, Hill, McLawhorn, Tucker, Warren, and Cox.

Referred to: Finance.

March 15, 1999

A BILL TO BE ENTITLED

AN ACT TO PROVIDE THAT THE CURRENT SALES TAX TREATMENT FOR FARM MACHINERY AND EQUIPMENT ALSO APPLIES TO BALERS.

The General Assembly of North Carolina enacts:

Section 1. G.S. 105-164.4(a)(1d)a. reads as rewritten:

"(1d) The rate of one percent (1%) applies to the sales price of the following articles. The maximum tax is eighty dollars (\$80.00) per article.

- a. Sales to a farmer of machines and machinery, and parts and accessories for these machines and machinery, for use by the farmer in the planting, cultivating, harvesting, ~~or curing~~ curing, or baling of farm crops or in the production of dairy products, eggs, or animals. A 'farmer' includes a dairy operator, a poultry farmer, an egg producer, a livestock farmer, a farmer of crops, and a farmer of an aquatic species, as defined in G.S. 106-758. Items that are exempt from tax under G.S. 105-164.13(4c) are not subject to tax under this section.

The term 'machines and machinery' as used in this subdivision is defined as follows:

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1 The term ~~shall include~~ includes all vehicular implements,
2 designed and sold for any use defined in this subdivision, ~~which~~
3 that are operated, drawn or propelled by motor or animal power,
4 but ~~shall~~ does not include vehicular implements ~~which~~ that are
5 operated wholly by hand, and ~~shall~~ does not include any motor
6 vehicles required to be registered under Chapter 20 of the
7 General Statutes.

8 The term ~~shall include~~ includes all nonvehicular implements
9 and mechanical devices designed and sold for any use defined in
10 this subdivision, ~~which~~ that have moving parts, or ~~which~~ that
11 require the use of any motor or animal power, fuel, or electricity
12 in their operation but ~~shall~~ does not include nonvehicular
13 implements ~~which~~ that have no moving parts and are operated
14 wholly by hand.

15 The term ~~shall also include~~ also includes metal flues sold for
16 use in curing tobacco, whether ~~such~~ the flues are attached to
17 handfired furnaces or used in connection with mechanical
18 burners."

19 Section 2. This act becomes effective October 1, 1999, and applies to sales
20 made on or after that date.