

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2007

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HOUSE BILL 1102

Short Title: Modify Currituck County Occupancy Tax.

(Local)

Sponsors: Representative Owens.

Referred to: Finance.

March 28, 2007

A BILL TO BE ENTITLED

AN ACT TO MODIFY THE OCCUPANCY TAX FOR CURRITUCK COUNTY.

The General Assembly of North Carolina enacts:

SECTION 1. Section 1(e) of Chapter 209 of the 1987 Session Laws, as amended by Section 1 of Chapter 155 of the 1991 Session Laws, and as amended by Section 2 of S.L. 2004-95, reads as rewritten:

"(e) Use of tax revenue. Currituck County shall use at least seventy-five percent (75%) of the net proceeds of the tax levied under subsection (a) of this section only for tourism-related expenditures, including beach nourishment. Currituck County shall use at least two-thirds of the net proceeds of the tax levied under subsections (a1) and (a2) of this section to promote travel and tourism and shall use the remainder of those funds for tourism-related expenditures, tourist-related purposes, including construction and maintenance of public facilities and buildings; garbage, refuse, and solid waste collection and disposal, police protection, and emergency services. The remainder of the net proceeds shall be deposited in the Currituck County General Fund and may be used for any lawful purpose. As used in this subsection, "net proceeds" means gross

The following definitions apply in this subsection:

- (1) ~~Beach nourishment. The placement of sand, from other sand sources, on a beach or dune by mechanical means and other associated activities that are in conformity with the North Carolina Coastal Management Program along the shorelines of the Atlantic Ocean of North Carolina and connecting inlets for the purpose of widening the beach to benefit public recreational use and mitigating damage and erosion from storms to inland property. The term includes expenditures for any of the following:~~
 - a. ~~Costs directly associated with qualifying for projects either contracted through the U.S. Army Corps of Engineers or otherwise permitted by all appropriate federal and State agencies.~~

- 1 b. ~~The nonfederal share of the cost required to construct these~~
2 ~~projects.~~
3 e. ~~The costs associated with providing enhanced public beach~~
4 ~~access.~~
5 d. ~~The costs of associated nonhardening activities such as the~~
6 ~~planting of vegetation, the building of dunes, and the placement~~
7 ~~of sand fences.~~
8 (2) ~~Net proceeds.—Gross proceeds less the cost to the county of~~
9 ~~administering and collecting the tax, as determined by the finance~~
10 ~~officer, not to exceed three percent (3%) of the first five hundred~~
11 ~~thousand dollars (\$500,000) of gross proceeds collected each year and~~
12 ~~one percent (1%) of the remaining gross receipts collected each~~
13 ~~year.~~
14 (3) ~~Promote travel and tourism.—To advertise or market an area or~~
15 ~~activity, publish and distribute pamphlets and other materials, conduct~~
16 ~~market research, or engage in similar promotional activities that attract~~
17 ~~tourists or business travelers to the area; the term includes~~
18 ~~administrative expenses incurred in engaging in these activities.~~
19 (4) ~~Tourism-related expenditures.—Expenditures that, in the judgment of~~
20 ~~the Currituck County Board of Commissioners, are designed to~~
21 ~~increase the use of lodging facilities, meeting facilities, recreational~~
22 ~~facilities, and convention facilities in a county by attracting tourists or~~
23 ~~business travelers to the county. The term includes tourism-related~~
24 ~~capital expenditures and beach nourishment."~~

25 **SECTION 2.** This act is effective when it becomes law.