

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2007

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SENATE BILL 465

Short Title: Amend Carteret County Occupancy Tax. (Local)

Sponsors: Senator Preston.

Referred to: Finance.

March 5, 2007

A BILL TO BE ENTITLED

AN ACT TO AMEND THE DEADLINE FOR THE DEVELOPMENT OF A
CONVENTION CENTER PLAN FOR CARTERET COUNTY.

The General Assembly of North Carolina enacts:

SECTION 1. Section 5 of S.L. 2001-381, as amended by S.L. 2005-120 and S.L. 2005-435, reads as rewritten:

"SECTION 5. Additional occupancy tax. – In addition to the occupancy tax authorized by Section 2 of this act, the Board of Commissioners of Carteret County may levy an additional room occupancy and tourism development tax of one percent (1%) of the gross receipts derived from the rental of accommodations taxable under Section 2 of this act if the following conditions have been met:

- (1) A development plan for the construction of a convention center has been approved by resolution of the board of county commissioners and the governing board of the municipality where the center is to be located by June 30, ~~2008~~; 2010; and
- (2) There is a signed contract between the appropriate local governments and a private developer that includes financing commitments for construction to begin no later than July 1, ~~2009~~; 2011.

The tax authorized by this section may not become effective earlier than July 1, ~~2008~~; 2010. The county may not levy a tax under this section unless it also levies the tax under Section 2 of this act. The levy, collection, administration, and repeal of the tax authorized by this section shall be in accordance with Section 2 of this act.

If the conditions in subdivisions (1) and (2) of this section have been met and the one-cent (1¢) room occupancy tax described in this section is levied, the county's authority to levy the one-cent (1¢) tax is repealed on the first day of the second month following the date that a cumulative total of ten million dollars (\$10,000,000) in proceeds from this one-cent (1¢) tax has been collected. For purposes of this section, the cumulative total of ten million dollars (\$10,000,000) is calculated beginning on July 1, ~~2008~~; 2010.

1 Surplus proceeds from the one-cent (1¢) room occupancy tax described in this
2 section beyond the ten million dollar (\$10,000,000) cumulative total that are collected
3 before the repeal date shall be redistributed to the Tourism Development Authority and
4 used only to promote travel and tourism.

5 If the actual cost of the convention center is less than ten million dollars
6 (\$10,000,000), any proceeds from the one-cent (1¢) occupancy tax collected but not
7 spent shall be redistributed to the Tourism Development Authority and used to promote
8 travel and tourism.

9 If construction on the convention center has not begun by July 1, ~~2009, 2011~~, the
10 county's authority to levy the one-cent (1¢) room occupancy tax described in this
11 section is repealed on September 1, ~~2009, 2011~~. Any funds collected before the repeal
12 date shall be redistributed to the Tourism Development Authority and used only to
13 promote travel and tourism."

14 **SECTION 2.** Section 6(b) of S.L. 2001-381, as amended by S.L. 2005-120
15 and S.L. 2005-435, reads as rewritten:

16 "**SECTION 6.(b)** If the conditions in subdivisions (1) and (2) of Section 5 of this
17 act are met, and the additional occupancy tax authorized by Section 5 is levied, this
18 section becomes effective the later of July 1, ~~2008, 2010~~, or the effective date of the tax
19 levied under Section 5 of this act. Otherwise, this section does not go into effect."

20 **SECTION 3.** This act is effective when it becomes law.