

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2023

H.B. 240
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HOUSE PRINCIPAL CLERK

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HOUSE BILL DRH30113-NIxf-35A

Short Title: Town of Four Oaks Occ. Tax Authorization. (Local)

Sponsors: Representative Strickland.

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO AUTHORIZE THE TOWN OF FOUR OAKS TO LEVY AN OCCUPANCY
3 TAX.

4 The General Assembly of North Carolina enacts:

5 **SECTION 1.** Occupancy tax. – (a) Authorization and Scope. – The Four Oaks Board
6 of Commissioners may levy a room occupancy tax of up to two percent (2%) of the gross receipts
7 derived from the rental of an accommodation within the town that is subject to sales tax imposed
8 by the State under G.S. 105-164.4(a)(3). This tax is in addition to any State or local sales tax.

9 **SECTION 1.(b)** Administration. – A tax levied under this section shall be levied,
10 administered, collected, and repealed as provided in G.S. 160A-215. The penalties provided in
11 G.S. 160A-215 apply to a tax levied under this section.

12 **SECTION 1.(c)** Distribution and Use of Tax Revenue. – The Town of Four Oaks
13 shall, on a quarterly basis, remit the net proceeds of the occupancy tax to Johnston County
14 Tourism Authority created in Chapter 647 of the 1987 Session Laws. The Johnston County
15 Tourism Authority shall use at least two-thirds of the funds remitted to it under this subsection
16 to promote travel and tourism in the Town of Four Oaks and shall use the remainder for
17 tourism-related expenditures in the Town of Four Oaks. In accordance with the North Carolina
18 Constitution and the United States Constitution, the tax proceeds may be used only for the direct
19 benefit of the Town of Four Oaks. None of the proceeds may be used to promote travel or tourism
20 in areas within Johnston County that are outside of the Town of Four Oaks or for tourism-related
21 expenditures in the county that are outside of the Town of Four Oaks. The net proceeds of the
22 occupancy tax levied under this act shall supplement rather than supplant any proceeds being
23 used in the Town of Four Oaks derived from the occupancy tax levied by Johnston County
24 pursuant to Chapter 647 of the 1987 Session Laws.

25 The following definitions apply in this section:

- 26 (1) Net proceeds. – Gross proceeds less the cost to the town of administering and
27 collecting the tax, as determined by the finance officer, not to exceed three
28 percent (3%) of the first five hundred thousand dollars (\$500,000) of gross
29 proceeds collected each year and one percent (1%) of the remaining gross
30 proceeds collected each year.
- 31 (2) Promote travel and tourism. – To advertise or market an area or activity,
32 publish and distribute pamphlets and other materials, conduct market research,
33 or engage in similar promotional activities that attract tourists or business
34 travelers to the area. The term includes administrative expenses incurred in
35 engaging in the listed activities.



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1 (3) Tourism-related expenditures. – Expenditures that, in the judgment of the
2 Tourism Authority, are designed to increase the use of lodging facilities,
3 meeting facilities, or convention facilities in the town or to attract tourists or
4 business travelers to the town. The term includes tourism-related capital
5 expenditures.

6 **SECTION 2.** G.S. 160A-215(g) reads as rewritten:

7 "(g) Applicability. – Subsection (c) of this section applies to all cities that levy an
8 occupancy tax. To the extent subsection (c) conflicts with any provision of a local act, subsection
9 (c) supersedes that provision. The remainder of this section applies only to Beech Mountain
10 District W, to the Cities of Belmont, Conover, Eden, Elizabeth City, Gastonia, Goldsboro,
11 Greensboro, Hickory, High Point, Jacksonville, Kings Mountain, Lake Santeetlah, Lenoir,
12 Lexington, Lincolnton, Lowell, Lumberton, Monroe, Mount Airy, Mount Holly, Reidsville,
13 Roanoke Rapids, Salisbury, Sanford, Shelby, Statesville, Washington, and Wilmington, to the
14 Towns of Ahoskie, Beech Mountain, Benson, Bermuda Run, Blowing Rock, Boiling Springs,
15 Boone, Burgaw, Carolina Beach, Carrboro, Cooleemee, Cramerton, Dallas, Dobson, Elkin,
16 Fontana Dam, Four Oaks, Franklin, Grover, Hillsborough, Jonesville, Kenly, Kure Beach,
17 Leland, McAdenville, Mocksville, Mooresville, Murfreesboro, North Topsail Beach, Pembroke,
18 Pilot Mountain, Ranlo, Robbinsville, Selma, Smithfield, St. Pauls, Swansboro, Troutman, Tryon,
19 West Jefferson, Wilkesboro, Wrightsville Beach, Yadkinville, Yanceyville, to the municipalities
20 in Avery and Brunswick Counties, and to Saluda District D."

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