

NORTH CAROLINA GENERAL ASSEMBLY  
1967 SESSION

CHAPTER 1220  
HOUSE BILL 1304

1 AN ACT TO AMEND THE INHERITANCE TAX LAWS RELATING TO CREDIT  
2 AGAINST INHERITANCE TAXES FOR GIFT TAXES PAID.

3  
4 The General Assembly of North Carolina do enact:

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6 **Section 1.** G.S. 105-8 is hereby rewritten to read as follows:

7 "**§ 105-8. Treatment Allowed for Gift Tax Paid.** In case a tax has been imposed under  
8 Schedule G of the Revenue Act of 1937, or under subsequent Acts, upon any gift, and  
9 thereafter, upon the death of the donor, the amount thereof is required by any provision of this  
10 Article to be included in the gross estate of the decedent, then the tax paid with respect to such  
11 gift shall constitute an advance payment of the tax which would otherwise be chargeable  
12 against the beneficiaries of the estate under the provisions of this Article, and shall be applied  
13 in reduction of said tax. Any additional tax found to be due because of the inclusion of such gift  
14 in the gross estate of the decedent, as provided herein, shall be a tax against the estate and shall  
15 be paid out of the same funds as any other tax against the estate. Any amount by which the tax  
16 paid with respect to such gift exceeds the tax found to be due because of the inclusion of such  
17 gift in the gross estate of the decedent, as provided herein, shall be refunded to the estate of the  
18 decedent."

19 **Sec. 2.** All laws and clauses of laws in conflict with this Act are hereby repealed.

20 **Sec. 3.** This Act shall become effective July 1, 1967, and shall apply to estates of  
21 all persons dying on or after that date.

22 In the General Assembly read three times and ratified, this the 6th day of July, 1967.