

GENERAL ASSEMBLY OF NORTH CAROLINA



Session 2009

Legislative Fiscal Note

BILL NUMBER: Senate Bill 909 (First Edition)

SHORT TITLE: Sales Tax: Reliance on Written Advice by DOR

SPONSOR(S): Senator Clodfelter

FISCAL IMPACT					
	Yes ()	No (X)	No Estimate Available ()		
	<u>FY 2009-10</u>	<u>FY 2010-11</u>	<u>FY 2011-12</u>	<u>FY 2012-13</u>	<u>FY 2013-14</u>
REVENUES	*See Assumptions and Methodology*				
EXPENDITURES					
POSITIONS (cumulative):					
PRINCIPAL DEPARTMENT(S) & PROGRAM(S) AFFECTED:	North Carolina Department of Revenue				
EFFECTIVE DATE:	When the bill becomes law.				

BILL SUMMARY: Senate Bill 909 adds a new statute, GS 105-164.11, providing that a seller who requests specific written advice from the Secretary of Revenue and collects and remits sale or use tax, in accordance with the written advice, is not liable to a purchaser for any over-collected tax collected in accordance with the written advice.

ASSUMPTIONS AND METHODOLOGY: Senate Bill 909 reflects a technical change which does not increase or reduce General Fund availability. The legislation clarifies that retailers acting under the guidance of written advice from the North Carolina Department of Revenue are not liable to the purchaser for erroneous collections if collected in accordance with the written advice.

SOURCES OF DATA: North Carolina General Assembly, Research Division

TECHNICAL CONSIDERATIONS: None

FISCAL RESEARCH DIVISION: (919) 733-4910

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