GENERAL ASSEMBLY OF NORTH CAROLINA
1991 SESSION

CHAPTER 11
HOUSE BILL 50

AN ACT TO MAKE TECHNICAL CHANGES TO THE PROPERTY TAX STATUTES.

The General Assembly of North Carolina enacts:

Section 1. G.S. 105-272 reads as rewritten:

"**§ 105-272. Purpose of Subchapter.**

The purpose of this Subchapter ~~(being G.S. 105-271 through 105-395, inclusive)~~ is to provide the machinery for the listing, appraisal, and assessment of property and the levy and collection of taxes on property by counties and municipalities. It is the intent of the General Assembly to make the provisions of this Subchapter uniformly applicable throughout the State, and to assure this objective no local act to become effective on or after July 1, 1971, shall be construed to repeal or amend any section of this Subchapter in whole or in part unless it shall expressly so provide by specific reference to the section to be repealed or amended. As used in this section, the term 'local act' means any act of the General Assembly that applies to one or more counties by name, to one or more municipalities by name, or to all municipalities within one or more named counties."

Sec. 2. G.S. 159-55(a)(4) reads as rewritten:

"(4) The ~~appraised~~ assessed value of property subject to taxation by the issuing ~~unit before the application of any assessment ratio. The appraised value of property subject to taxation by the issuing unit is the value from which the assessed value last fixed for taxation by the issuing unit was computed,~~ unit, as revealed by the ~~county~~ tax records and certified to the issuing unit by the ~~county tax supervisor.~~ assessor."

Sec. 3. G.S. 159-55(c) reads as rewritten:

"(c) No bond order shall be adopted unless it appears from the sworn statement of debt filed in connection therewith that the net debt of the unit does not exceed eight percent (8%) of the ~~appraised~~ assessed value of property subject to taxation by the issuing ~~unit before the application of any assessment ratio as determined under subsection (a)(4) of this section.~~ unit. This limitation shall not apply to:

(1) Funding and refunding bonds.

(2) Bonds issued for water, gas, or electric power purposes, or two or more of these purposes.

(3) Bonds issued for sanitary sewer system purposes when the bonds are deductible pursuant to subsection (b) of this section.

(4) Bonds issued for sanitary sewers, sewage disposal, or sewage purification plants when the construction of these facilities has been ordered by the Environmental Management Commission, which Commission is hereby authorized to make such an order, or by a court of competent jurisdiction.

(5) Bonds or notes issued for erosion control purposes.

(6) Bonds or notes issued for the purpose of erecting jetties or other protective works to prevent encroachment by the ocean, sounds, or other bodies of water."

Sec. 4. G.S. 159-148(a)(3) reads as rewritten:

"(3) Obligates the unit over the full term of the contract, including periods that may be added to the original term through the exercise of options to renew or extend, to the extent of five hundred thousand dollars ($500,000) or a sum equal to one tenth of one percent (1/10 of 1%) of the ~~appraised~~ assessed value of property subject to taxation by the contracting ~~unit (before the application of any assessment ratio),~~ unit, whichever is less, and".

Sec. 5. G.S. 159-150 reads as rewritten:

"**§ 159-150. Sworn statement of debt; debt limitation.**

After or at the time an application is filed under G.S. 159-149, the finance officer, or some other officer designated by the board, shall prepare, swear to, and file with the secretary and for public inspection in the office of the clerk to the board a statement of debt in the same form prescribed in G.S. 159-55 for statements of debt filed in connection with general obligation bond issues. The sums to be included in gross debt and the deductions therefrom to arrive at net debt shall be the same as prescribed in G.S. 159-55, except that sums to fall due under contracts subject to this Article shall be treated as if they were evidenced by general obligation bonds of the unit.

No contract subject to this Article may be executed if the net debt of the contracting unit, after execution of the contract, would exceed eight percent (8%) of the ~~appraised~~ assessed value of property subject to taxation by the contracting ~~unit before the application of any assessment ratio.~~ unit."

Sec. 6. This act is effective upon ratification.

In the General Assembly read three times and ratified this the 20th day of March, 1991.

_____

James C. Gardner
President of the Senate

_____

Daniel Blue, Jr.
Speaker of the House of Representatives