

GENERAL ASSEMBLY OF NORTH CAROLINA



Session 2007

Legislative Fiscal Note

BILL NUMBER: Senate Bill 1756 (First Edition)

SHORT TITLE: Modify Estate Tax Law.

SPONSOR(S): Senator Hoyle

	FISCAL IMPACT				
	Yes ()	No ()	No Estimate Available ()		
	<u>FY 2008-09</u>	<u>FY 2009-10</u>	<u>FY 2010-11</u>	<u>FY 2011-12</u>	<u>FY 2012-13</u>
REVENUES (\$ millions):	(2.0)	(0.5)	(0.5)	(0.5)	(0.5)
EXPENDITURES:					
POSITIONS (cumulative):					
PRINCIPAL DEPARTMENT(S) & PROGRAM(S) AFFECTED:	Department of Revenue				
EFFECTIVE DATE:	When the bill becomes law				

BILL SUMMARY: This bill would modify the formula for calculating the North Carolina estate tax on estates that include property in another state by excluding the value of the property from the estate tax payable to North Carolina. The bill applies retroactively to the estates of decedents for which the statute of limitations for claiming a refund had not expired as of December 28, 2007.

ASSUMPTIONS AND METHODOLOGY: Based on data provided by the Department of Revenue, the dollar amount from taxpayers claiming a refund could equal \$1.5 million. This estimate is based on estate tax returns between 2002 and 2007 and assumes that the statute of limitations would extend no more than three years prior to December 28, 2007. It is also assumed that all taxpayers eligible for a refund will apply for the refund. Passage of this bill will also mean that all out of state property will be excluded from the estate tax and this would reduce estate tax collections by \$0.5 million per fiscal year.

SOURCES OF DATA: Department of Revenue

TECHNICAL CONSIDERATIONS: None

FISCAL RESEARCH DIVISION: (919) 733-4910

PREPARED BY: Barry Boardman

APPROVED BY:

Lynn Muchmore, Director
Fiscal Research Division

DATE: May 23, 2008



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