

# TABLED



NORTH CAROLINA GENERAL ASSEMBLY  
AMENDMENT  
Senate Bill 730

AMENDMENT NO. A5  
(to be filled in by  
Principal Clerk)

S730-ARIf-122 [v.1]

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Amends Title [NO]  
Fourth Edition

Date \_\_\_\_\_, 2026

Representative Longest

1 moves to amend the bill on page 8, lines 19 through 30,  
2 by rewriting those lines to read:

3  
4 **"REPEAL SALES TAX EXEMPTION FOR DATA CENTERS**

5 **SECTION 6.5.(a)** G.S. 105-164.3(47), 105-164.3(79), 105-164.3(201),  
6 105-164.13(43a)b., 105-164.13(55), and 105-164.13(55a) are repealed.

7 **SECTION 6.5.(b)** This section becomes effective January 1, 2027, and applies to  
8 sales made on or after that date.

9  
10 **EXCLUDE DATA CENTERS FROM ECONOMIC DEVELOPMENT INCENTIVES**

11 **SECTION 6.6.(a)** Article 10 of Chapter 143B of the General Statutes is amended by  
12 adding a new section to read:

13 **"§ 143B-435.2. Ineligible projects.**

14 Notwithstanding any other provision of law, data centers shall be ineligible to receive any  
15 grant, loan, or other incentive provided under this Article. For purposes of this section, the term  
16 "data center" means a facility or group of co-located facilities under common ownership or  
17 control used to house computer systems, servers, network equipment, and associated  
18 infrastructure for the storage, processing, or transmission of data. Facilities under common  
19 ownership or control, or that are operationally or contractually integrated, whether located on  
20 one or multiple parcels, shall constitute one "data center" for purposes of this section."

21 **SECTION 6.6.(b)** G.S. 143B-437.01 reads as rewritten:

22 **"§ 143B-437.01. Industrial Development Fund Utility Account.**

23 ...

24 (a1) Definitions. – The following definitions apply in this section:

25 ...

26 (5) Eligible industry. – A company headquarters or a person engaged in the  
27 business of air courier services, information technology and services,  
28 manufacturing, or warehousing and wholesale trade.

29 (6) Information technology and services. – An industry in one of the following,  
30 as defined by NAICS:

31 a. Data processing industry group 518.

32 b. Software publishers industry group 5112.



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- 1 c. Computer systems design and related services industry group 5415.
- 2 d. An internet activity included in industry group 519130.
- 3 Information and technology services does not include the operation of data
- 4 centers, as defined in G.S. 143B-435.2.
- 5 ...."

6  
7 **SECTION 6.6.(c)** Article 7 of Chapter 62 of the General Statutes is amended by  
8 adding a new section to read:

9 **"§ 62-159.3. Exclusion from economic development incentive programs.**

10 Notwithstanding any other provision of law, data centers shall be ineligible to receive any  
11 infrastructure grants or other incentives funded directly or indirectly by utility ratepayers. For  
12 purposes of this section, the term "data center" means a facility or group of co-located facilities  
13 under common ownership or control used to house computer systems, servers, network  
14 equipment, and associated infrastructure for the storage, processing, or transmission of data.  
15 Facilities under common ownership or control, or that are operationally or contractually  
16 integrated, whether located on one or multiple parcels, shall constitute one "data center" for  
17 purposes of this section"

18 **SECTION 6.6.(d)** G.S. 158-7.1 is amended by adding a new subsection to read:

19 "(i) Notwithstanding subsection (a), (b), or (d) of this section, local governments are  
20 prohibited from providing any economic development incentives for siting of a data center within  
21 their jurisdiction, such as local tax incentives, subsidies, or financial assistance, including  
22 property tax abatements, deferrals, rebates, grants, or payments in lieu of taxes. Nothing in this  
23 subsection prohibits local governments from providing generally available services or  
24 infrastructure on the same terms offered to similarly situated commercial or industrial users.  
25 Nothing in this section shall be construed to prohibit local governments from exercising zoning  
26 or land use authority For purposes of this section, the term "data center" means a facility or group  
27 of co-located facilities under common ownership or control used to house computer systems,  
28 servers, network equipment, and associated infrastructure for the storage, processing, or  
29 transmission of data. Facilities under common ownership or control, or that are operationally or  
30 contractually integrated, whether located on one or multiple parcels, shall constitute one "data  
31 center" for purposes of this section."  
32

SIGNED \_\_\_\_\_  
Amendment Sponsor

SIGNED \_\_\_\_\_  
Committee Chair if Senate Committee Amendment

ADOPTED \_\_\_\_\_ FAILED \_\_\_\_\_ TABLED \_\_\_\_\_