



SENATE BILL 391: County Omnibus Legislation

2015-2016 General Assembly

Committee:	Rules, Calendar, and Operations of the House, if favorable, Judiciary I	Date:	September 22, 2015
Introduced by:	Sen. Tarte	Prepared by:	Kelly Tornow Staff Attorney
Analysis of:	PCS to Second Edition S391-CSST-96		

SUMMARY: *The proposed committee substitute for Senate Bill 391 would reestablish the State Payment in Lieu of Taxes Study Commission, direct the Environmental Review Commission to study statewide approaches to control invasive aquatic noxious weeds, direct the Revenue Laws Study Committee to study the financial impacts on local governments of exempting previously taxable properties from the property tax base when acquired by nonprofits, and clarify requirements on local governments for deposit of public money and to eliminate unintentional non-compliance or waste.*

BILL ANALYSIS:

Section 1 of the PCS would reestablish the State Payment in Lieu of Taxes Study Commission, which was originally established in S.L. 2013-340, but terminated without reporting upon the convening of the 2015 General Assembly¹. The Commission would consist of 13 members appointed as follows:

- Three members of the House of Representatives appointed by the Speaker.
- Three members of the Senate appointed by the President Pro Tempore.
- The Secretary of Revenue or the Secretary's designee.
- Three members of the public appointed by the Speaker, two based on the recommendation of the North Carolina Association of County Commissioners and one based on the recommendation of the North Carolina League of Municipalities.
- Three members of the public appointed by the President Pro Tempore, two based on the recommendation of the North Carolina Association of County Commissioners and one based on the recommendation of the North Carolina League of Municipalities.

The Commission would study issues relating to the development of a State payment in lieu of taxes for State properties, including wildlife and game lands and the Commission could consider any other issues deemed relevant. The Commission could submit an interim report during the course of the study and would submit a final report prior to the convening of the 2017 General Assembly. The Commission would terminate upon the convening of the 2017 General Assembly or upon the filing of its final report, whichever occurs first.

Section 2 would direct the Environmental Review Commission to study issues relating to statewide approaches to control invasive aquatic noxious weeds in the State's waters, including funding needed to

¹ The House made appointments to this Commission but the Senate did not.

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support statewide control. The Commission would report its findings and recommendations on statewide approaches to control invasive aquatic weeds to the 2016 Regular Session of the 2015 General Assembly.

Section 3 would direct The Revenue Laws Study Committee to study issues relating to the financial impacts on local governments of exempting previously taxable properties from the property tax base when acquired by nonprofits. The Committee would report its findings and recommendations on the financial impacts of exempting previously taxable properties to the 2016 Regular Session of the 2015 General Assembly.

Section 4 would amend a statute that requires counties to deposit cash when it reaches \$250 ***or*** at the end of each month, to eliminate the required monthly deposit and allow the cash to be locked in a secure location until it reaches \$250, at which point a deposit would be required with a properly licensed and recognized cash collection service. Section 4 would become effective January 1, 2016.

EFFECTIVE DATE: Except as otherwise provided, the act would be effective when it becomes law.

Jeff Hudson, Jennifer McGinnis, and Erika Churchill, Staff Attorneys with the Research Division, substantially contributed to this summary.