



HOUSE BILL 797: Deed Stamp Tax Refund by Hearing Officer.

2021-2022 General Assembly

Committee: Senate Rules and Operations of the Senate	Date: August 16, 2021
Introduced by: Reps. Stevens, D. Hall, Willis	Prepared by: Greg Roney
Analysis of: Third Edition	Staff Attorney

OVERVIEW: *House Bill 797 would authorize a county board of commissioners to designate the county finance officer as the hearing officer for refund requests of the deed stamp tax.*

CURRENT LAW: Article 8E of Chapter 105, titled Excise Tax on Conveyances, imposes a deed stamp tax as follows: "An excise tax is levied on each instrument by which any interest in real property is conveyed to another person. The tax rate is one dollar (\$1.00) on each five hundred dollars (\$500.00) or fractional part thereof of the consideration or value of the interest conveyed." (G.S. 105-228.30)

A taxpayer who overpaid the deed stamp tax requests a refund by filing a refund request with the county board of commissioners. The county board of commissioners must conduct a hearing on the refund request. If the refund request is denied, the taxpayer may request further review before the Department of Revenue.

BILL ANALYSIS: House Bill 797 would authorize a county board of commissioners to designate the county finance officer as the hearing officer for refund requests of the deed stamp tax.

If a county board of commissioners designates a hearing officer, the taxpayer has the right to appeal the hearing officer's decision to the Department of Revenue.

EFFECTIVE DATE: House Bill 797 would be effective when it becomes law.

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