



# SENATE BILL 132: Bertie County Occupancy Tax Authorization.

2023-2024 General Assembly

<b>Committee:</b>	Senate Finance. If favorable, re-refer to Rules and Operations of the Senate	<b>Date:</b>	June 20, 2023
<b>Introduced by:</b>	Sen. Hanig	<b>Prepared by:</b>	Trina Griffin
<b>Analysis of:</b>	First Edition		Staff Attorney

**OVERVIEW:** Senate Bill 132 would authorize Bertie County to levy a room occupancy tax of up to 6%. The proceeds must be remitted to the Bertie County Tourism Development Authority. At least two-thirds of the proceeds must be used to promote travel and tourism and the remainder must be used for tourism-related expenditures.

**CURRENT LAW:** Currently, there is no authority for Bertie County, or any municipality in Bertie County, to levy an occupancy tax.

**BILL ANALYSIS:** Senate Bill 132 would authorize Bertie County to levy a 6% room occupancy tax. When the county adopts a resolution to levy the occupancy tax, it would also be required to adopt a resolution to create a county Tourism Development Authority. The proceeds of the tax must be remitted to the Bertie County Tourism Development Authority. At least two-thirds of the proceeds must be used for tourism promotion and the remainder for tourism-related expenditures.

**EFFECTIVE DATE:** This act would be effective when it becomes law.

**BACKGROUND:** In 1997, the General Assembly enacted uniform municipal and county administrative provisions for occupancy tax,<sup>1</sup> which provide uniformity among counties and cities with respect to the levy, administration, collection, repeal, and imposition of penalties. In 1993, the House Finance Committee established the Occupancy Tax Guidelines, which address the rate of tax, the use of the tax proceeds, the administration of the tax, and the body with authority to determine how the proceeds will be spent. A summary of these provisions is detailed in the chart below.

UNIFORM OCCUPANCY TAX PROVISIONS
<b>Rate</b> – The county tax rate cannot exceed 6% and the city tax rate, when combined with the county rate, cannot exceed 6%.
<b>Use</b> – Two-thirds of the proceeds must be used to promote travel and tourism and the remainder must be used for tourism-related expenditures.
<b>Definitions</b> The term "net proceeds", "promote travel and tourism", and "tourism-related expenditures" are defined terms.
<b>Administration</b> – The net revenues must be administered by a local tourism development authority that has the authority to determine how the tax proceeds will be used, is created by a local ordinance, and at least 1/2 of the members must be currently active in the promotion of travel and tourism in the county and 1/3 of the members must be affiliated with organizations that collect the tax.
<b>Costs of Collection</b> – The taxing authority may retain from the revenues its actual costs of collection, not to exceed 3% of the first \$500,000 collected each year plus 1% of the remainder collected each year.

<sup>1</sup> G.S. 153A-155 and G.S. 160A-215.

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