

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2011

H.B. 1171
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HOUSE PRINCIPAL CLERK

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HOUSE DRH60176-MC-256 (05/10)

Short Title: Extend Sunset for EITC.

(Public)

Sponsors: Representatives Weiss, Luebke, Ross, and Hall (Primary Sponsors).

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO EXTEND THE SUNSET FOR THE EARNED INCOME TAX CREDIT.
3 The General Assembly of North Carolina enacts:
4 **SECTION 1.** G.S. 105-151.31(c) reads as rewritten:
5 "**§ 105-151.31. Earned income tax credit.**
6 (a) Credit. – An individual who claims for the taxable year an earned income tax credit
7 under section 32 of the Code is allowed a credit against the tax imposed by this Part equal to
8 five percent (5%) of the amount of credit the individual qualified for under section 32 of the
9 Code. A nonresident or part-year resident who claims the credit allowed by this section must
10 reduce the amount of the credit by multiplying it by the fraction calculated under
11 G.S. 105-134.5(b) or (c), as appropriate.
12 (b) Credit Refundable. – If the credit allowed by this section exceeds the amount of tax
13 imposed by this Part for the taxable year reduced by the sum of all credits allowable, the
14 Secretary must refund the excess to the taxpayer. The refundable excess is governed by the
15 provisions governing a refund of an overpayment by the taxpayer of the tax imposed in this
16 Part. Section 3507 of the Code, Advance Payment of Earned Income Credit, does not apply to
17 the credit allowed by this section. In computing the amount of tax against which multiple
18 credits are allowed, nonrefundable credits are subtracted before refundable credits.
19 (c) Sunset. – This section is repealed effective for taxable years beginning on or after
20 January 1, ~~2013~~2016."
21 **SECTION 2.** This act is effective when it becomes law.

