

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2023

H.B. 184
Feb 22, 2023
HOUSE PRINCIPAL CLERK

H

D

HOUSE BILL DRH40097-NIxf-29

Short Title: Haywood County Occupancy Taxes. (Local)

Sponsors: Representative Pless.

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO INCREASE THE OCCUPANCY TAX RATE AUTHORIZED FOR HAYWOOD
3 COUNTY.

4 The General Assembly of North Carolina enacts:

5 **SECTION 1.** Part V of Chapter 908 of the 1983 Session Laws, as amended by
6 Chapter 942 of the 1985 Session Laws (Regular Session 1986), Chapter 48 of the 1987 Session
7 Laws, Chapter 540 of the 1995 Session Laws, and Sections 1 and 2 of S.L. 2007-337, reads as
8 rewritten:

9 "Part V. Haywood Occupancy Tax.

10 "Sec. 10. Occupancy Tax. (a) Authorization and Scope. – The Haywood County Board of
11 Commissioners may levy a room occupancy and tourism development tax of two percent (2%)
12 of the gross receipts derived from the rental of any room, lodging, or similar accommodation
13 furnished by any hotel, motel, inn, tourist camp, or other similar place within the county that is
14 subject to sales tax imposed by the State under G.S. 105-164.4(a)(3). This tax is in addition to
15 any State or local sales tax. ~~This tax does not apply to accommodations furnished by nonprofit~~
16 ~~charitable, educational, benevolent, or religious organizations.~~

17 "Sec. 10.1. First Additional One Percent (1%) Occupancy Tax. – In addition to the tax
18 authorized by Section 10 of this Part, the Haywood County Board of Commissioners may levy a
19 room occupancy and tourism development tax of one percent (1%) of the gross receipts derived
20 from the rental of accommodations taxable under that section. The levy, collection,
21 administration, and repeal of the tax authorized by this section, and the use of tax revenue from
22 a tax levied under this section, shall be in accordance with this Part. Haywood County may not
23 levy a tax under this section unless it also levies a tax under Section 10 of this Part.

24 "Sec. 10.2. Second Additional One Percent (1%) Occupancy Tax. – In addition to the tax
25 authorized by Sections 10 and 10.1 of this Part, the Haywood County Board of Commissioners
26 may levy a room occupancy and tourism development tax of one percent (1%) of the gross
27 receipts derived from the rental of accommodations taxable under Sections 10 and 10.1 of this
28 Part. The levy, collection, administration, and repeal of the tax authorized by this section and the
29 use of tax revenue from a tax levied under this section shall be in accordance with this Part.
30 Haywood County may not levy a tax under this section unless it also levies the tax authorized
31 under Sections 10 and 10.1 of this Part.

32 "Sec. 10.3. First Additional Two Percent (2%) Occupancy Tax. – In addition to the tax
33 authorized by Sections 10, 10.1, and 10.2 of this Part, the Haywood County Board of
34 Commissioners may levy a room occupancy and tourism development tax of two percent (2%)
35 of the gross receipts derived from the rental of accommodations taxable under Sections 10, 10.1,
36 and 10.2 of this Part. The levy, collection, administration, and repeal of the tax authorized by this



1 section and the use of tax revenue from a tax levied under this section shall be in accordance with
2 this Part. Haywood County may not levy a tax under this section unless it also levies the tax
3 authorized under Sections 10, 10.1, and 10.2 of this Part.

4 "Sec. 12. Administration. – A tax levied under this Part shall be levied, administered,
5 collected, and repealed as provided in G.S. 153A-155. The penalties provided in G.S. 153A-155
6 apply to a tax levied under this Part.

7 "Sec. 14. Distribution and Use of the First Three Percent Occupancy Tax. – Haywood County
8 shall, on a monthly basis, remit the net proceeds of the room occupancy and tourism development
9 tax levied under Sections 10 and 10.1 of this Part to the Haywood County Tourism Development
10 Authority. The Authority shall use at least two-thirds of the funds remitted to it under this ~~Part~~
11 section to promote travel and tourism in the county and shall use the remainder for
12 tourism-related expenditures.

13 "Sec. 14.1. Distribution and Use of the Additional One Percent Occupancy Tax. – Haywood
14 County shall, on a monthly basis, remit the net proceeds of the room occupancy and tourism
15 development tax levied under Section 10.2 of this Part to the Haywood County Tourism
16 Development Authority. The Authority must segregate the net proceeds received under this
17 section into five separate accounts based on the collection area from which the proceeds were
18 collected. Net proceeds collected under this section from accommodations located in the 28716
19 zip code area must be credited to the Canton Area Account. Net proceeds collected under this
20 section from accommodations located in the 28721 zip code area must be credited to the Clyde
21 Area Account. Net proceeds collected under this section from accommodations located in 28745
22 zip code area must be credited to the Lake Junaluska Area Account. Net proceeds collected under
23 this section from accommodations located in the 28751 zip code area must be credited to the
24 Maggie Valley Area Account. Net proceeds collected under this section from accommodations
25 located in the 28785 and the 28786 zip code areas must be credited to the Waynesville Area
26 Account. Based on recommendations from and in consultation with each of the five collection
27 areas, the Authority shall use at least two-thirds of the funds in each account to promote travel
28 and tourism and the remainder for tourist-related expenditures in each of the collection areas.

29 "Sec. 14.2. Distribution and Use of the First Additional Two Percent (2%) Occupancy Tax.
30 – Haywood County shall, on a monthly basis, remit the net proceeds of the room occupancy and
31 tourism development tax levied under Section 10.3 of this Part to the Haywood County Tourism
32 Development Authority. The Authority shall use the funds remitted to it under this section for
33 construction of one or more of the following: sports parks, a new amphitheater, or a convention
34 center.

35 "...."

36 **SECTION 2.** This act is effective when it becomes law.