



**NORTH CAROLINA GENERAL ASSEMBLY  
AMENDMENT  
House Bill 122\***

AMENDMENT NO. 1  
(to be filled in by  
Principal Clerk)

H122-ARB-49 [v.1]

Page 1 of 2

Comm. Sub. [YES]  
Amends Title [NO]  
Second Edition

Date 6/13, 2011

Representative HOWARD

1 moves to amend the bill on page 4, line 50, through page 5, line 8, by rewriting the lines to  
2 read:

3 "SECTIONS 13-14 . Reserved.";

4  
5 And on page 5, line 12, by rewriting the line to read:

6 "SECTION 15.(a) G.S. 105-164.3(25), (27), (27b), and (30a) reads as rewritten:"

7  
8 And on page 5, lines 20 and 21, by inserting the following between those lines:

9 "(27) Prepaid telephone calling service. – Prepaid ~~wireline~~-calling service or  
10 prepaid wireless calling service.

11 ...

12 (27b) Prepaid ~~wireline~~-calling service. – A right that meets all of the following  
13 requirements:

- 14 a. Authorizes the exclusive purchase of ~~wireline~~-telecommunications  
15 service.
- 16 b. Must be paid for in advance.
- 17 c. Enables the origination of calls by means of an access number,  
18 authorization code, or another similar means, regardless of whether  
19 the access number or authorization code is manually or electronically  
20 dialed.
- 21 d. Is sold in units or dollars whose number or dollar value declines with  
22 use and is known on a continuous basis.

23 ...";

24  
25 and on page 10, lines 2 through 11, by rewriting the lines to read:

26 "(a) Services. – The effective date of a tax change for a service taxable under this Article  
27 is administered as follows:

- 28 (1) For a service that is provided and billed on a monthly or other periodic basis:
- 29 a. A new tax or a tax rate increase applies to the first billing period that  
30 is at least 30 days after enactment and that starts on or after the  
31 effective date. For a service billed after it is provided, the first billing  
32 period starts on the effective date. For a service billed before it is



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~~provided, the first billing period starts on the first day of the month after the effective date.~~

b. A tax repeal or a tax rate decrease applies to bills rendered on or after the effective date."

And on page 10, line 28, by rewriting the line to read:

"SECTION 29. G.S. 105-164.4B is amended by adding a new subsection to read:

'(f) Digital Property. – A purchaser receives digital property when the purchaser takes possession of the property or makes first use of the property, whenever comes first."

And on page 13, line 23, by rewriting the line to read:

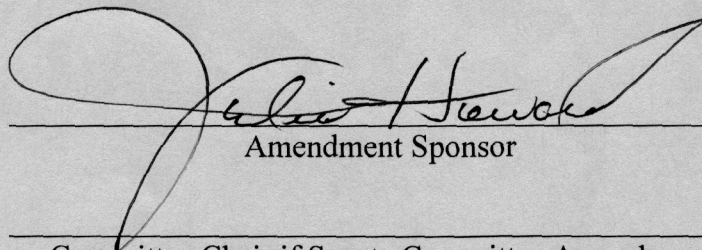
"SECTION 38. G.S. 105-164.41 is repealed.

SECTION 39. Reserved."

And on page 14, lines 46 and 47, by rewriting the lines to read:

"SECTION 8. As applied to G.S. 20-79.4, the authority in G.S. 164-10 for the ~~Division of Legislative Drafting and Codification~~ Legislative Services Office to reletter or renumber section subdivisions includes the".

SIGNED \_\_\_\_\_



Amendment Sponsor

SIGNED \_\_\_\_\_

Committee Chair if Senate Committee Amendment

ADOPTED \_\_\_\_\_

113-0 ✓

FAILED \_\_\_\_\_

TABLED \_\_\_\_\_

JUN 13 2011

*Denise White*

ADOPTED