

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2021**

**SESSION LAW 2021-16
HOUSE BILL 279**

AN ACT TO EXEMPT COVID-19 RELIEF PAYMENTS FROM THE INCOME DETERMINATION FOR PROPERTY TAX EXEMPTIONS BASED ON INCOME, TO PROVIDE FOR THE NONACCRUAL OF INTEREST AND TO EXTEND THE DEADLINE TO REQUEST A REFUND DUE TO THE EXTENSION OF THE INDIVIDUAL INCOME TAX PAYMENT AND FILING DEADLINE, AND TO MAKE A TECHNICAL CORRECTION TO THE EMPLOYMENT SECURITY LAW.

The General Assembly of North Carolina enacts:

PART I. COVID-19 RELATED TAX CHANGES

SECTION 1.1. For purposes of determining a person's eligibility under the elderly or disabled property tax homestead exclusion, G.S. 105-277.1, and the property tax homestead circuit breaker, G.S. 105-277.1B, Extra Credit Grants and COVID-19 Recovery Rebates are not considered income. For purposes of this section, COVID-19 Recovery Rebates are the following:

- (1) Payments received under section 6428 of the Internal Revenue Code.
- (2) Payments received under section 6428A of the Internal Revenue Code.
- (3) Any similar relief payments to those listed in subdivisions (1) and (2) of this section received by an individual from the federal government due to the COVID-19 pandemic.

SECTION 1.2.(a) Nonaccrual of Interest. – As a result of the automatic extension of the federal tax filing due date for individuals for the 2020 calendar year, the Secretary of Revenue has automatically extended the State tax filing due date for individuals for the 2020 tax year from April 15, 2021, to May 17, 2021. The Secretary will waive the penalty for failure to file an individual income tax return, including a partnership and estate and trust tax return, or pay individual income tax due if the return is filed and the tax due is paid by May 17, 2021. Notwithstanding G.S. 105-241.21(b), interest shall not accrue from April 15, 2021, through May 17, 2021, on an underpayment of tax imposed on an individual income tax return due April 15, 2021.

SECTION 1.2.(b) Refund Request. – For individual income tax, the statute of limitations for obtaining a refund is extended to May 17, 2021, for refund claims for which the statute of limitations to seek a refund expires on or after April 15, 2021, and before May 17, 2021.

PART II. UI TECHNICAL CHANGE

SECTION 2.1. The introductory language of Section 3 of S.L. 2021-5 reads as rewritten:

"**SECTION 3.** ~~G.S. 96-14(b)~~ G.S. 96-14.2(b) reads as rewritten:"

PART III. EFFECTIVE DATE



SECTION 3.1. Except as otherwise provided, this act is effective when it becomes law.

In the General Assembly read three times and ratified this the 27th day of April, 2021.

s/ Philip E. Berger
President Pro Tempore of the Senate

s/ Tim Moore
Speaker of the House of Representatives

s/ Roy Cooper
Governor

Approved 6:26 p.m. this 27th day of April, 2021