



CHAPTER 105

ARTICLE 4A - WITHHOLDING; ESTIMATED INCOME TAX FOR INDIVIDUALS

N.C.G.S. § 105-163.6.

When employer must file returns and pay withheld taxes.

SOURCE	LAST AMENDMENT IN THIS TEXT	RETRIEVED	SOURCE FINGERPRINT
General Statutes of North Carolina, as published by the General Assembly	S.L. 2013-414, s. 39(b) — thirteenth act in the lineage	21 September 2026, 05:13 UTC	816a69c29a5f5e9a4ef696a5 - 2831781b6f26cf776291ddd8 - f6e7b9ab559dc47f

§ 105-163.6(a) General. - A return is due quarterly or monthly as specified in this section. A return shall be filed with the Secretary in the manner required by the Secretary, shall report any payments of withheld taxes made during the period covered by the return, and shall contain any other information required by the Secretary.

Withheld taxes are payable quarterly, monthly, or semiweekly, as specified in this section. If the Secretary finds that collection of the amount of taxes this Article requires an employer to withhold is in jeopardy, the Secretary may require the employer to file a return or pay withheld taxes at a time other than that specified in this section.

§ 105-163.6(b) Quarterly. - An employer who withholds an average of less than two hundred fifty dollars (\$250.00) of State income taxes from wages each month must file a return and pay the withheld taxes on a quarterly basis. A quarterly return covers a calendar quarter and is due by the last day of the month following the end of the quarter.

§ 105-163.6(c) Monthly. - An employer who withholds an average of at least two hundred fifty dollars (\$250.00) but less than two thousand dollars (\$2,000) from wages each month must file a return and pay the withheld taxes on a monthly basis. A return for the months of January through November is due by the 15th day of the month following the end of the month covered by the return. A return for the month of December is due the following January 31.

§ 105-163.6(d)

Semiweekly. - An employer who withholds an average of at least two thousand dollars (\$2,000) of State income taxes from wages each month shall file a return by the date set under the Code for filing a return for federal employment taxes attributable to the same wages and shall pay the withheld State taxes by the date set under the Code for depositing or paying federal employment taxes attributable to the same wages. The date set by the Code for depositing or paying federal employment taxes shall be determined without regard to § 6302(g) of the Code.

An extension of time granted to file a return for federal employment taxes attributable to wages is an automatic extension of time for filing a return for State income taxes withheld from the same wages, and an extension of time granted to pay federal employment taxes attributable to wages is an automatic extension of time for paying State income taxes withheld from the same wages. An employer who pays withheld State income taxes under this subsection is not subject to interest on or penalties for a shortfall in the amount due if the employer would not be subject to a failure-to-deposit penalty had the shortfall occurred in a deposit of federal employment taxes attributable to the same wages and the employer pays the shortfall by the date the employer would have to deposit a shortfall in the federal employment taxes.

§ 105-163.6(e)

Category. - The Secretary shall monitor the amount of taxes withheld by an employer or estimate the amount of taxes to be withheld by a new employer and shall direct each employer to pay withheld taxes in accordance with the appropriate schedule. An employer shall file a return and pay withheld taxes in accordance with the Secretary's direction until notified in writing to file and pay under a different schedule.

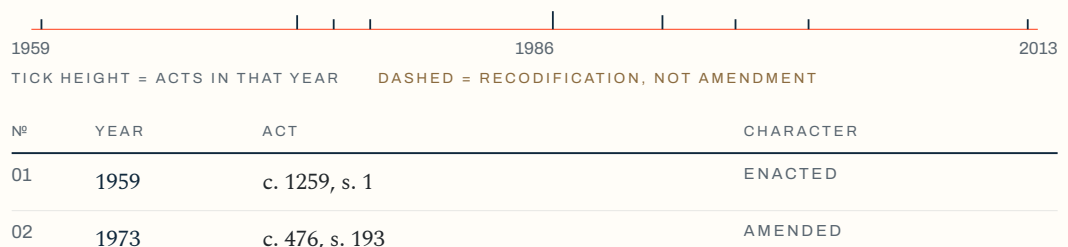
END OF SECTION TEXT

APPARATUS FOLLOWS — DERIVED, NOT ENACTED

APPARATUS I
13 ACTS

Amendment lineage

The State prints this history as a single parenthetical at the foot of the section. It is reproduced verbatim in the colophon and unpacked below in order of enactment.



03	1973	c. 1287, s. 7	AMENDED
04	1975	2nd Sess., c. 979, s. 1	AMENDED
05	1977	c. 488	AMENDED
06	1987	c. 622, s. 9	AMENDED
07	1987	c. 813, s. 24	AMENDED
08	1987	1989 (Reg. Sess., 1990), c. 945, s. 10	AMENDED
09	1993	c. 450, s. 6	AMENDED
10	1993	1993 (Reg. Sess., 1994), c. 661, s. 1	AMENDED
11	1997	S.L. 1997-109, s. 2	AMENDED
12	2001	S.L. 2001-427, s. 5(a), (b)	AMENDED
13	2013	S.L. 2013-414, s. 39(b)	AMENDED

APPARATUS III

Citation

FULL SECTION

N.C. Gen. Stat. § 105-163.6 (2013).

PINPOINT

N.C. Gen. Stat. § 105-163.6(a) (2013).

Pinpoint keys are set in the left margin of the text rather than line numbers: subsection designators are stable across editions and paper sizes, line numbers are not.

COLOPHON

Provenance

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HISTORY PARENTHETICAL, AS PRINTED BY THE STATE

(1959, c. 1259, s. 1; 1973, c. 476, s. 193; c. 1287, s. 7; 1975, 2nd Sess., c. 979, s. 1; 1977, c. 488; 1987, c. 622, s. 9; c. 813, s. 24; 1989 (Reg. Sess., 1990), c. 945, s. 10; 1993, c. 450, s. 6; 1993 (Reg. Sess., 1994), c. 661, s. 1; 1997-109, s. 2; 2001-427, s. 5(a), (b); 2013-414, s. 39(b).)

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