

GENERAL ASSEMBLY OF NORTH CAROLINA



Session 2007

Legislative Fiscal Note

BILL NUMBER: Senate Bill 2056 (Second Edition)

SHORT TITLE: Court Fee Exemption.

SPONSOR(S): Senator McKissick

FISCAL IMPACT					
	Yes ()	No (X)	No Estimate Available ()		
	<u>FY 2008-09</u>	<u>FY 2009-10</u>	<u>FY 2010-11</u>	<u>FY 2011-12</u>	<u>FY 2012-13</u>
REVENUES					
EXPENDITURES					
POSITIONS (cumulative):					
PRINCIPAL DEPARTMENT(S) & PROGRAM(S) AFFECTED:					
EFFECTIVE DATE:	Section 1 effective June 30, 2008; Section 2 effective July 1, 2008				

BILL SUMMARY: Senate Bill 2056 repeals amendments to GS 7A-317 enacted in Section 30.10(d) of the 2007 appropriations act. It amends GS 7A-317 to provide that local governments are not required to advance court fees in child support actions, child abuse actions, and other actions filed by the Department of Social Services; repeal provision effective June 30, 2008 with amendment to GS 7A-317 effective July 1, 2008

Source: Bill Digest S.B. 2056 (05/28/0200).

ASSUMPTIONS AND METHODOLOGY: Current GS 7A-317 provides that counties and municipalities do not have to advance costs for the facilities fee, the General Court of Justice fee, the miscellaneous fees in GS 7A-308, or the civil process fees in GS 7A-311. Section 30.10(d) of SL 2007-323 (House Bill 1473) modifies GS 7A-317, effective July 1, 2008, by requiring counties and municipalities to advance costs for all fees except for the civil process fees.

Section 1 of this bill repeals Section 30.10(d) of SL 2007-323. Section 2 restores the original language of GS 7A-317 but with one modification: costs must be advanced for all miscellaneous fees except in child support actions, child abuse actions, and any other actions filed by the Department of Social Services.

Under current procedure, local government agencies often do not advance civil filing fees or various other costs. Instead, fees accumulate and are paid at the end of each month. This bill would modify the timing of payment of certain miscellaneous fees. Under this bill, all miscellaneous fees (except for those in child support, child abuse, and other DSS actions) would be paid upon filing, thus expediting payments to the court system.

SOURCES OF DATA: Judicial Branch

TECHNICAL CONSIDERATIONS: None

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