

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2007

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SENATE BILL 690

Short Title: Collection of Offender Fines and Fees. (Public)

Sponsors: Senators Clodfelter; Dannelly, Graham, and Hartsell.

Referred to: Judiciary 1 (Civil).

March 13, 2007

1 A BILL TO BE ENTITLED
2 AN ACT TO AMEND THE LAW AUTHORIZING METHODS OF COLLECTING
3 FINES AND FEES OWED BY OFFENDERS AND TO PROVIDE FOR BEST
4 PRACTICES IN THE COLLECTION OF OUTSTANDING FINES AND FEES BY
5 THE COURTS.

6 The General Assembly of North Carolina enacts:

7 **SECTION 1.** G.S. 7A-321 reads as rewritten:

8 "**§ 7A-321. Collection of offender fines and fees assessed by the court.**

9 (a) The Judicial Department may, in lieu of payment by cash or check, accept
10 payment by credit card, charge card, or debit card for the fines, fees, and costs owed to
11 the courts by offenders. The Department may pay any negotiated discount, processing
12 fee, transaction fee, or other charge imposed by a credit card, charge card, or debit card
13 company, or by a third-party merchant bank, as a condition of contracting for the
14 Department's acceptance of electronic payment. The Department may impose the fee or
15 charge as a surcharge on the amount paid by the offender using electronic payment.

16 (b) In attempting to collect the fines and fees owed by offenders to the Judicial
17 Department, the Department may:

- 18 (1) Refer an offender who owes the court for fines and fees to a reputable
19 credit counseling agency for the purpose of assisting the offender in
20 restructuring the debt, with the Department designated as the lead or
21 primary creditor.
- 22 (2) Assess additional collection fees if an amount due remains unpaid after
23 the time period allotted by the Department.
- 24 (3) Assign debt, in the form of fines and fees owed to the Department, to a
25 collection agency after internal collection efforts have failed.
- 26 (4) Report the delinquency to agencies that assemble or evaluate credit
27 information.
- 28 (5) Intercept tax refund checks under Chapter 105A of the General
29 Statutes, the Setoff Debt Collection Act."

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SECTION 2. This act becomes effective July 1, 2007.