GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009

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SENATE BILL 388

Short Title:	Collection of Offender Fines and Fees.	(Public)
Sponsors:	Senator Clodfelter.	
Referred to:	Finance.	

March 4, 2009

A BILL TO BE ENTITLED

AN ACT TO AUTHORIZE ADDITIONAL METHODS OF COLLECTING FINES AND FEES OWED BY OFFENDERS AND TO ALLOW COUNTIES TO RETAIN COLLECTION ASSISTANCE FEES.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 7A-321(b) reads as rewritten:

"(b) In attempting to collect the fines, fees, and costs owed by offenders not sentenced to supervised probation, the Department may:

(1) Assess a collection assistance fee if an amount due remains unpaid for 30 days after the time period allotted by the court. <u>A collection assistance fee may be retained by the county in which the fee is collected.</u> The amount of the collection assistance fee shall not exceed the average cost of collecting the debt or twenty percent (20%) of the amount past due, whichever is less.

(2) Enter into contracts with a collection agency or agencies to collect unpaid fines, fees, and costs owed by offenders not sentenced to supervised probation.

(3) Intercept tax refund checks under Chapter 105A of the General Statutes, the Setoff Debt Collection Act.

<u>(4) Pursue civil liens and judgments against offenders.</u>

<u>(5) Report delinquencies to credit agencies.</u>

<u>(6) Make referrals to credit counseling agencies and debt restructuring services.</u>"

SECTION 2. This section becomes effective July 1, 2009, and applies to cases adjudicated on or after that date.