

March 25, 2009

S 875. INCREASE COURT FEES. Filed 3/25/09. *TO INCREASE FEES IN THE GENERAL COURT OF JUSTICE, TO AUTHORIZE A PROCESSING FEE FOR DEFENDANTS PAYING COURT COSTS IN INSTALLMENTS, TO ESTABLISH A MOTOR VEHICLE ROAD SAFETY FEE, AND TO DEFRAY THE EXPENSES OF PROCESSING HIGHWAY PATROL CITATIONS.*

Effective July 1, 2009, amends GS 7A-304(a) to (1) increase the fee for the upgrade, maintenance, and operation of the judicial county courthouse phone systems to \$3.00 (was \$1.00); (2) increase the fee for the support of the General Court of Justice to \$103.00 in the district court (was \$95.50) and to \$115.00 in the superior court (was \$102.50); (3) add a new \$5.00 fee for the support of the General Court of Justice for all offenses arising under Chapter 20 of the General Statutes, to be remitted to the State Treasurer; and (4) increase the fee for the support of the General Court of Justice to \$200.00 (was \$100.00) that is payable by a defendant who fails to appear to answer the charge as scheduled. Applies to all costs assessed or collected on or after July 1, 2010, except that in misdemeanor or infraction cases disposed of on or after that date by written appearance, waiver of trial or hearing, and plea of guilt or admission of responsibility pursuant to GS 7A-180(4) or GS 7A-273(2), in which the citation or other criminal process was issued before that date, the cost is the lesser of those specified in GS 7A-304(a), as amended, or those specified in the notice portion of the defendant's or respondent's copy of the citation or other criminal process, if any costs are specified in that notice.

Effective July 1, 2010, amends GS 7A-304(a) to (1) increase the fee for the upgrade, maintenance, and operation of the judicial county courthouse phone systems to \$4.00 (was \$3.00), (2) increase the fee for support of the General Court of Justice to \$105.00 in the district court (was \$103.00) and to \$135.00 in the superior court (was \$115.00), and (3) increase the fee for support of the General Court of Justice for all offenses arising under Chapter 20 of the General Statutes to \$10.00 (was \$5.00). Applies to all costs assessed or collected on or after July 1, 2010, except that in misdemeanor or infraction cases disposed of on or after that date by written appearance, waiver of trial or hearing, and plea of guilt or admission of responsibility pursuant to GS 7A-180(4) or GS 7A-273(2), in which the citation or other criminal process was issued before that date, the cost is the lesser of those specified in GS 7A-304(a), as amended, or those specified in the notice portion of the defendant's or respondent's copy of the citation or other criminal process, if any costs are specified in that notice.

Effective July 1, 2009, amends GS 7A-304 to add new subsection specifying that defendants owing costs may either make payment in full when the costs are assessed or may make payment on an installment plan arranged with the court, subject to a one-time setup fee of \$20.00. Specifies that the fees collected be remitted to the State Treasurer for support of the General Court of Justice.

Effective July 1, 2009, amends GS 7A-305(a) to (1) increase the fee for the upgrade, maintenance, and operation of the judicial and county courthouse phone systems to \$3.00 (was \$1.00) and (2) increase the fee for the support of the General Court of Justice in the superior court to \$130.00 (was \$93.00), in the district court, except if the case is assigned to a magistrate, to \$78.00 (was \$73.00), and in the district court, if the case is assigned to a magistrate to \$55.00 (was \$63.00).

Effective July 1, 2010, amends GS 7A-305(a) to (1) increase the fee for the upgrade, maintenance, and operation of the judicial and county courthouse phone systems to \$4.00 (was \$3.00); (2) increase the fee for the support of the General Court of Justice in the superior court to \$140.00 (was \$130.00), and in the district court, except if the case is assigned to a magistrate to \$80.00 (was \$78.00).

Effective July 1, 2009, amends GS 7A-306(a)(1a) to increase the fee for the upgrade, maintenance, and operation of the judicial and county courthouse phone systems to \$3.00 (was \$1.00).

Effective July 1, 2010, amends GS 7A-306(a)(1a) to increase the fee for the upgrade, maintenance, and operation of the judicial and county courthouse phone systems to \$4.00 (was \$3.00).

Effective July 1, 2009, amends GS 7A-307(a)(1a) to increase the fee for the upgrade, maintenance, and operation of the judicial and county courthouse phone systems to \$3.00 (was \$1.00).

Effective July 1, 2010, amends GS 7A-307(a)(1a) to increase the fee for the upgrade, maintenance, and operation of the judicial and county courthouse phone systems to \$4.00 (was \$3.00).

Effective July 1, 2009, amends GS 7A-300 to add a new subsection requiring a transfer of funds from the Highway Fund to the General Fund in an amount equal to the cost calculated by the Administrative Office of the Courts of the expenses associated with the processing of citations generated by the Highway Patrol.

Effective July 1, 2009, amends GS 20-135.2A(e) to eliminate the \$75.00 cap on court costs imposed on driver or front seat passengers who fail to wear a seat belt. Eliminates requirement that court costs assessed must be remitted to the State Treasurer for the support of the General Court of Justice.

Effective July 1, 2009, amends GS 20-140.4 to impose a \$25.00 penalty plus court costs on any person convicted of violating the special provisions for motorcycles and mopeds. Specifies that no driver's license points or insurance surcharges may be assessed because of a violation of the provisions.

Intro. by Sen. Clodfelter.

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