

ADOPTED



NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 528

AMENDMENT NO. A1
(to be filled in by
Principal Clerk)

H528-AML-28 [v.2]

Page 1 of 2

Amends Title [NO]
Fourth Edition

Date _____, 2017

Senator Brown

1 moves to amend the bill on page 10, lines 48-49, by inserting the following between the lines
2 "SECTION 5.5.(a) If Senate Bill 257, 2017 Regular Session, becomes law, then
3 G.S. 7A-305(a5)(3) reads as rewritten:

4 "(3) For support of the General Court of Justice, the sum of one hundred eighty
5 dollars (\$180.00) in the superior court, except that if a case is assigned to a
6 special superior court judge as a complex business case under G.S. 7A-45.3,
7 filing fees shall be collected and disbursed in accordance with subsection (a)
8 of this section, and the sum of one hundred thirty dollars (\$130.00) in the
9 district court, except that if the case is assigned to a magistrate, the sum shall
10 be eighty dollars (\$80.00). Sums collected under this subdivision shall be
11 remitted to the State Treasurer. The State Treasurer shall remit the sum of
12 ~~one dollar and fifty cents (\$1.50) of each fee collected under this subdivision~~
13 ~~to the North Carolina State Bar for the provision of services described in~~
14 ~~G.S. 7A-474.4 and ninety-five cents (\$.95) of each fee collected under this~~
15 ~~subdivision to the North Carolina State Bar for the provision of services~~
16 ~~described in G.S. 7A-474.19."~~

17 SECTION 5.5.(b) If Senate Bill 257, 2017 Regular Session, becomes law, then
18 G.S. 7A-306(a)(2) reads as rewritten:

19 "(2) For support of the General Court of Justice the sum of one hundred six
20 dollars (\$106.00). In addition, in proceedings involving land, except
21 boundary disputes, if the fair market value of the land involved is over one
22 hundred dollars (\$100.00), there shall be an additional sum of thirty cents
23 (30¢) per one hundred dollars (\$100.00) of value, or major fraction thereof,
24 not to exceed a maximum additional sum of two hundred dollars (\$200.00).
25 Fair market value is determined by the sale price if there is a sale, the
26 appraiser's valuation if there is no sale, or the appraised value from the
27 property tax records if there is neither a sale nor an appraiser's valuation.
28 Sums collected under this subdivision shall be remitted to the State
29 Treasurer. ~~The State Treasurer shall remit the sum of one dollar and fifty~~
30 ~~cents (\$1.50) of each one hundred six dollar (\$106.00) General Court of~~
31 ~~Justice fee collected under this subdivision to the North Carolina State Bar~~
32 ~~for the provision of services described in G.S. 7A-474.4."~~



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1 **SECTION 5.5.(c)** If Senate Bill 257, 2017 Regular Session, becomes law, then
2 G.S. 7A-307(a)(2) reads as rewritten:

3 "(2) For support of the General Court of Justice, the sum of one hundred six
4 dollars (\$106.00), plus an additional forty cents (40¢) per one hundred
5 dollars (\$100.00), or major fraction thereof, of the gross estate, not to exceed
6 six thousand dollars (\$6,000). Gross estate shall include the fair market
7 value of all personalty when received, and all proceeds from the sale of
8 realty coming into the hands of the fiduciary, but shall not include the value
9 of realty. In collections of personal property by affidavit, the fee based on
10 the gross estate shall be computed from the information in the final affidavit
11 of collection made pursuant to G.S. 28A-25-3 and shall be paid when that
12 affidavit is filed. In all other cases, this fee shall be computed from the
13 information reported in the inventory and shall be paid when the inventory is
14 filed with the clerk. If additional gross estate, including income, comes into
15 the hands of the fiduciary after the filing of the inventory, the fee for such
16 additional value shall be assessed and paid upon the filing of any account or
17 report disclosing such additional value. For each filing the minimum fee
18 shall be fifteen dollars (\$15.00). Sums collected under this subdivision shall
19 be remitted to the State Treasurer. ~~The State Treasurer shall remit the sum of~~
20 ~~one dollar and fifty cents (\$1.50) of each one hundred six dollar (\$106.00)~~
21 ~~General Court of Justice fee collected under this subdivision to the North~~
22 ~~Carolina State Bar for the provision of services described in G.S. 7A-474."~~

23 **SECTION 5.5.(d)** This section is effective when it becomes law."

SIGNED _____
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED _____ FAILED _____ TABLED _____

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and vote information, is available in the
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