

ADOPTED



NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 181

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

H181-ASVf-21 [v.1]

Page 1 of 1

Amends Title [YES]
First Edition

Date _____, 2023

Representative Rudow

1 moves to amend the bill on page 1, line 3, by rewriting the line to read:

2 "STATUTES AND WAIVING FEES FOR ESTATE ADMINISTRATION LIMITED TO
3 CERTAIN PROPERTIES HELD IN THE ESCHEAT FUND, AS RECOMMENDED BY
4 THE DEPARTMENT OF STATE TREASURER.";

6 and on page 2, line 34, by rewriting the line to read:

7 "SECTION 7. G.S. 7A-307(b) reads as rewritten:

8 "(b) In collections of personal property by affidavit, the ~~facilities fee and thirty dollars~~
9 ~~(\$30.00) of the fee under subdivision (1), the fee under subdivision (1a), and the one hundred~~
10 ~~and six dollar (\$106.00) General Court of Justice fee under subdivision (2) of subsection (a) of~~
11 ~~this section shall be paid at the time of filing the qualifying affidavit pursuant to G.S. 28A-25-1.~~
12 ~~The remainder of the fee under subdivision (2) of subsection (a) of this section shall be paid at~~
13 ~~the time of filing the closing affidavit. If the sole asset of the estate is a cause of action, these~~
14 ~~fees shall be paid at the time of the qualification of the fiduciary. Upon written request of the~~
15 ~~affiant, all fees under this section shall be waived if (i) the amount to be collected is five thousand~~
16 ~~dollars (\$5,000) or less and (ii) the sole source of the assets of the estate is held in the Escheat~~
17 ~~Fund pursuant to Article 1A of Chapter 116B of the General Statutes. Any fees paid by an affiant~~
18 ~~prior to the submission of a written request for a waiver of fees shall not be refunded by the court.~~
19 ~~If, after receiving a waiver of fees under this subsection, an affiant collects additional assets that~~
20 ~~disqualify the affiant from receiving the waiver under this subsection, the court costs otherwise~~
21 ~~applicable to the collection of personal property by affidavit shall apply."~~

22 SECTION 8. Section 7 of this act becomes effective January 1, 2024, and applies to
23 affidavits filed on or after that date. The remainder of this act is effective when it becomes law."

SIGNED _____

Amendment Sponsor

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and vote information, is available in the
House Principal Clerk's Office**



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