

ADOPTED



NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 377

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

H377-ABB-39 [v.6]

Page 1 of 2

Amends Title [NO]
Third Edition

Date _____, 2026

Senator Daniel

1 moves to amend the bill on page 7, lines 9-11, by rewriting the lines to read:

2 "~~containing exhibits upon request, and furnish those files and any requested documentary~~
3 ~~exhibits to the appointed attorney request and furnish the requested documentary exhibits and~~
4 digital storage media containing exhibits to the appointed attorney."";

5
6 and on page 7, lines 44-51, by deleting those lines;

7
8 and on page on page 13, line 7, through page 14, line 27, by rewriting the lines to read:

9 "**CLARIFY DISTINCTION BETWEEN COSTS AND EXPENSES AWARDED**

10 **SECTION 25.(a)** G.S. 6-20 reads as rewritten:

11 "**§ 6-20. Costs allowed or not, in discretion of court.**

12 In actions where allowance of costs is not otherwise provided by the General Statutes,
13 costs may be allowed in the discretion of the court. ~~Costs~~ Expenses awarded by the court are
14 subject to the limitations on assessable or recoverable ~~costs~~ expenses set forth in G.S. 7A-305(d),
15 unless specifically provided for otherwise in the General Statutes."

16 **SECTION 25.(b)** G.S. 7A-305 reads as rewritten:

17 "**§ 7A-305. Costs in civil actions.**

18 (a) In every civil action in the superior or district court, except for actions brought under
19 Chapter 50B of the General Statutes, the following shall be assessed; assessed and are
20 recoverable:

21 (1) For the use of the courtroom and related judicial facilities, the sum of twelve
22 dollars (\$12.00) in cases heard before a magistrate, and the sum of sixteen
23 dollars (\$16.00) in district and superior court, to be remitted to the county in
24 which the judgment is rendered, except that in all cases in which the judgment
25 is rendered in facilities provided by a municipality, the facilities fee shall be
26 paid to the municipality. Funds derived from the facilities fees shall be used
27 in the same manner, for the same purposes, and subject to the same
28 restrictions, as facilities fees assessed in criminal actions.

29 ...

30 (a5) In every civil action in the superior or district court wherein a party files a pleading
31 containing one or more counterclaims, third-party complaints, or cross-claims, except for
32 counterclaim and cross-claim actions brought under Chapter 50B of the General Statutes for



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1 which costs are assessed pursuant to subsection (a1) of this section, the following shall be
2 ~~assessed~~ assessed and are recoverable:

3 (1) For the use of the courtroom and related judicial facilities, the sum of twelve
4 dollars (\$12.00) in cases heard before a magistrate, and the sum of sixteen
5 dollars (\$16.00) in district and superior court, to be remitted to the
6 municipality providing the facilities in which the judgment is rendered. If a
7 municipality does not provide the facilities in which the judgment is rendered,
8 the sum is to be remitted to the county in which the judgment is rendered.
9 Funds derived from the facilities' fees shall be used in the same manner, for
10 the same purposes, and subject to the same restrictions as facilities' fees
11 assessed in criminal actions.

12 ...

13 (f) For the support of the General Court of Justice, the sum of twenty dollars (\$20.00)
14 shall accompany any filing of a notice of hearing on a motion not listed in G.S. 7A-308 that is
15 filed with the ~~clerk~~ clerk, and this cost is recoverable. No costs shall be assessed to a notice of
16 hearing on a motion containing as a sole claim for relief the taxing of costs, including attorneys'
17 fees, to a motion filed pursuant to G.S. 1C-1602 or G.S. 1C-1603, or to a motion filed by a child
18 support enforcement agency established pursuant to Part D of Title IV of the Social Security Act.
19 No more than one fee shall be assessed for any motion for which a notice of hearing is filed,
20 regardless of whether the hearing is continued, rescheduled, or otherwise delayed."

21 **SECTION 25.(c)** This section is effective when it becomes law, and applies to
22 actions pending or filed on or after that date. This section applies to judgments entered and
23 docketed before the effective date for which costs have been docketed."

SIGNED _____
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED _____ FAILED _____ TABLED _____

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