

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2003

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HOUSE DRH60429-SVfz-6 (3/5)

Short Title: Adopt Flat Fee for Debt Collection. (Public)

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Sponsors: Representatives Wainwright; Luebke, Miner, G. Allen, Brubaker, Hill, McGee, and Wood.

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Referred to:

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A BILL TO BE ENTITLED

AN ACT TO ADOPT A FLAT COLLECTION ASSISTANCE FEE UNDER THE  
SETOFF DEBT COLLECTION ACT.

The General Assembly of North Carolina enacts:

**SECTION 1.** G.S. 105A-13(a) reads as rewritten:

"(a) State Setoff. – To recover the costs incurred by the Department in collecting debts under this Chapter, a collection assistance fee of ~~no more than fifteen~~ five dollars ~~(\$15.00)~~ (\$5.00) is imposed on each debt collected through setoff. The Department must collect this fee as part of the debt and retain it. ~~The Department must set the amount of the collection assistance fee based on its actual cost of collection under this Chapter for the immediately preceding year.~~ The collection assistance fee shall not be added to child support debts or collected as part of child support debts. Instead, the Department shall retain from collections under Division II of Article 4 of Chapter 105 of the General Statutes the cost of collecting child support debts under this Chapter."

**SECTION 2.** This act becomes effective for fees assessed on or after October 1, 2004.