

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009

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HOUSE BILL 1531
Committee Substitute Favorable 6/24/09

Short Title: Name Change Banned for Imprisoned Felons.

(Public)

Sponsors:

Referred to:

April 23, 2009

1 A BILL TO BE ENTITLED
2 AN ACT TO PROVIDE THAT THE CLERK OF COURT SHALL DENY A NAME
3 CHANGE APPLICATION FROM A CONVICTED FELON WHO IS SERVING AN
4 ACTIVE SENTENCE FOR A FELONY CONVICTION AND TO INCREASE BY ONE
5 DOLLAR THE FEE FOR PROCESSING AN APPLICATION TO CHANGE A
6 PERSON'S NAME.

7 The General Assembly of North Carolina enacts:

8 **SECTION 1.** Chapter 101 of the General Statutes is amended by adding the
9 following new sections to read:

10 **"§ 101-9. Felon may not change name while serving active sentence.**

11 The clerk of court shall deny an application received from any person to change his or her
12 name under this Chapter if the person is a convicted felon who is serving an active sentence in
13 a correctional facility for the felony conviction.

14 **"§ 101-10. Fee.**

15 The clerk of court shall assess any person who applies to change his or her name under this
16 Chapter a fee of one dollar (\$1.00), in addition to the fees imposed under G.S. 7A-306, to assist
17 with the cost of processing the application. The fee shall be used for the support of the General
18 Court of Justice and is payable at the time the application is submitted."

19 **SECTION 2.** G.S. 7A-306(c) reads as rewritten:

20 "(c) The following additional expenses, when incurred, are assessable or recoverable, as
21 the case may be:

- 22 (1) Witness fees, as provided by law.
- 23 (2) Counsel fees, as provided by law.
- 24 (3) Costs on appeal, of the original transcript of testimony, if any, insofar as
25 essential to the appeal.
- 26 (4) Fees for personal service of civil process, and other sheriff's fees, and for
27 service by publication, as provided by law.
- 28 (5) Fees of guardians ad litem, referees, receivers, commissioners, surveyors,
29 arbitrators, appraisers, and other similar court appointees, as provided by
30 law. The fees of such appointees shall include reasonable reimbursement for
31 stenographic assistance, when necessary.
- 32 (6) Name change fee, as provided by law."

33 **SECTION 3.** This act becomes effective July 1, 2009, and applies to any
34 application to change a person's name submitted to the clerk of court on or after that date.

