

**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2023**

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**HOUSE BILL 979**

Short Title:   Modify Various Court Costs and Fees. (Public)

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Sponsors:   Representatives Crawford, Alston, Harris, and Prather (Primary Sponsors).  
*For a complete list of sponsors, refer to the North Carolina General Assembly web site.*

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Referred to:  Rules, Calendar, and Operations of the House

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May 6, 2024

A BILL TO BE ENTITLED  
AN ACT TO DECREASE OR ELIMINATE VARIOUS COURT COSTS AND FEES.  
The General Assembly of North Carolina enacts:

**SECTION 1.(a)** G.S. 7A-304 reads as rewritten:

**"§ 7A-304. Costs in criminal actions.**

(a) In every criminal case in the superior or district court, wherein the defendant is convicted, or enters a plea of guilty or nolo contendere, or when costs are assessed against the prosecuting witness, the following costs shall be assessed and collected. No costs may be assessed when a case is dismissed. Only upon entry of a written order, supported by findings of fact and conclusions of law, determining that there is just cause, the court may (i) waive costs assessed under this section or (ii) waive or reduce costs assessed under subdivision (7), (8), (8a), (11), (12), or (13) of this section. No court may waive or remit all or part of any court fines or costs without providing notice and opportunity to be heard by all government entities directly affected. The court shall provide notice to the government entities directly affected of (i) the date and time of the hearing and (ii) the right to be heard and make an objection to the remission or waiver of all or part of the order of court costs at least 15 days prior to hearing. Notice shall be made to the government entities affected by first-class mail to the address provided for receipt of court costs paid pursuant to the order. The costs referenced in this subsection are listed below:

...

(4) For support of the General Court of Justice, the sum of one hundred ~~forty seven twenty-five~~ dollars and fifty cents ~~(\$147.50)~~ (\$125.00) in the district court, including cases before a magistrate, and the sum of one hundred ~~fifty four thirty~~ dollars and fifty cents ~~(\$154.50)~~ (\$130.00) in the superior court, to be remitted to the State Treasurer. For a person convicted of a felony in superior court who has made a first appearance in district court, both the district court and superior court fees shall be assessed. The State Treasurer shall remit the sum of ninety-five cents (\$.95) of each fee collected under this subdivision to the North Carolina State Bar for the provision of services described in G.S. 7A-474.19.

...

(f) The court may allow a defendant owing monetary obligations under this section to either make payment in full when costs are assessed or make payment on an installment plan arranged with the court. ~~Defendants making use of an installment plan shall pay a onetime setup fee of twenty dollars (\$20.00) to cover the additional costs to the court of receiving and disbursing~~



1 installment payments. Fees collected under this subsection shall be remitted to the State Treasurer  
2 for support of the General Court of Justice.

3 ...."

4 **SECTION 1.(b)** This section becomes effective October 1, 2024, and applies to each  
5 of the following:

- 6 (1) Court costs imposed on or after that date.
- 7 (2) Installment plans set up on or after that date.

8 **SECTION 2.(a)** G.S. 20-135.2A(e) reads as rewritten:

9 "(e) Any driver or front seat passenger who fails to wear a seat belt as required by this  
10 section shall have committed an infraction and shall pay a penalty of twenty-five dollars and fifty  
11 cents (\$25.50) ~~plus the following court costs:~~

- 12 (1) ~~The General Court of Justice fee provided for in G.S. 7A-304(a)(4).~~
- 13 (2) ~~The fee provided for in G.S. 7A-304(a)(2a).~~
- 14 (3) ~~One dollar and fifty cents (\$1.50) to be remitted to the county wherein the~~  
15 ~~infraction was issued, except in those cases in which the infraction was issued~~  
16 ~~by a law enforcement officer employed by a municipality, the fee shall be paid~~  
17 ~~to the municipality employing the officer.~~
- 18 (4) ~~One dollar and fifty cents (\$1.50) for the supplemental pension benefits of~~  
19 ~~sheriffs to be remitted to the Department of Justice and administered under~~  
20 ~~the provisions of Article 12H of Chapter 143 of the General Statutes and no~~  
21 ~~court costs.~~

22 Any rear seat occupant of a vehicle who fails to wear a seat belt as required by this section  
23 shall have committed an infraction and shall pay a penalty of ten dollars (\$10.00) and no court  
24 costs. Conviction of an infraction under this section has no other consequence."

25 **SECTION 2.(b)** This section becomes effective October 1, 2024, and applies to  
26 infractions committed on or after that date.

27 **SECTION 3.(a)** G.S. 143B-1483(c) reads as rewritten:

28 "(c) A fee of two hundred fifty dollars (\$250.00) shall be paid by all persons who  
29 participate in the program or receive services from the program ~~staff.~~ staff, except that the fee  
30 may be waived pursuant to the same requirements for waiving court costs under G.S. 7A-304.  
31 Only one fee may be assessed for each sentencing transaction, even if the person is assigned to  
32 the program on more than one occasion, or while on deferred prosecution, under a conditional  
33 discharge, or serving a sentence for the offense. A sentencing transaction shall include all  
34 offenses considered and adjudicated during the same term of court. Fees collected pursuant to  
35 this subsection shall be deposited in the General Fund. If the person is convicted in a court in this  
36 State, the fee shall be paid to the clerk of court in the county in which the person is convicted,  
37 regardless of whether the person is participating in the program as a condition of parole, of  
38 probation imposed by the court, or pursuant to the exercise of authority delegated to the probation  
39 officer pursuant to G.S. 15A-1343.2(e) or (f). If the person is participating in the program as a  
40 result of a conditional discharge or a deferred prosecution or similar program, the fee shall be  
41 paid to the clerk of court in the county in which the agreement is filed. Persons participating in  
42 the program for any other reason shall pay the fee to the clerk of court in the county in which the  
43 services are provided by the program staff. ~~The~~ Unless waived, the fee shall be paid in full before  
44 the person may participate in the community service program, except that:

45 ...."

46 **SECTION 3.(b)** This section becomes effective October 1, 2024, and applies to fees  
47 assessed on or after that date.

48 **SECTION 4.** Except as otherwise provided, this act is effective when it becomes  
49 law.