

§ 105A-6.1. Procedure for force collecting; debts eligible for force collection.

(a) State Auditor Notice of Final Determination to Department Required. – Upon final determination of a debt under G.S. 105A-8.1, the Office of the State Auditor shall notify the Department in writing of the debt and shall supply any information necessary to identify the debtor against whom forced collection may be sought, including the written report and any additional supporting documentation required to be submitted by the Auditor under G.S. 147-64.6(c)(21).

(b) Department Notice to Debtor Required. – Upon receipt of notification by the Office of the State Auditor under subsection (a) of this section, and prior to implementing any forced collection remedy, the Department shall provide written notice to the debtor of the following:

- (1) The Department's intention to collect the debt and the forced debt collection remedies allowed by this Chapter.
- (2) The ability of the debtor to pay the debt in full or to enter into an installment agreement to pay the debt pursuant to G.S. 105A-6.4.
- (3) That a collection assistance fee equal to three percent (3%) of the amount of the debt collected will be added to the debt if it is forced collected [force collected].

(c) Debts Eligible for Forced Collection. – Only those debts that are discovered through an audit or investigation undertaken by the Office of the State Auditor in accordance with G.S. 147-64.6(c)(21) are eligible for forced collection under this Chapter. (2025-83, s. 11(a).)