

GENERAL ASSEMBLY OF NORTH CAROLINA



Session 2009

Legislative Fiscal Note

BILL NUMBER: House Bill 1874 (First Edition)

SHORT TITLE: Chapter 50B Fee Clarification.

SPONSOR(S): Representatives McLawhorn, Ross, Goodwin, and Rhyne

FISCAL IMPACT					
	Yes (X)	No ()	No Estimate Available ()		
	<u>FY 2010-11</u>	<u>FY 2011-12</u>	<u>FY 2012-13</u>	<u>FY 2013-14</u>	<u>FY 2014-15</u>
REVENUES:	\$84,917	\$113,223	\$113,223	\$113,223	\$113,223
EXPENDITURES:	-	-	-	-	-
POSITIONS (cumulative): N/A					
PRINCIPAL DEPARTMENT(S) & PROGRAM(S) AFFECTED: Judicial Branch					
EFFECTIVE DATE: October 1, 2010					

BILL SUMMARY:

The proposed legislation amends G.S. 7A-305(a1) to provide that court costs apply to counterclaims to actions brought under G.S. Chapter 50B. The proposed legislation also provides that costs do not apply when the additional, subsequent amendment or counterclaim is limited to requests for relief authorized under G.S. Chapter 50B. This act becomes effective October 1, 2010. *Source: Bill Digest H.B. 1874 (05/19/0201)*

ASSUMPTIONS AND METHODOLOGY:

Judicial Branch

The Administrative Office of the Courts' (AOC) data reveals the following statistics regarding responses to 50B domestic violence protective orders:

50B Responses with Counterclaims					
Year	2005	2006	2007	2008	2009
# of Filings	1,656	1,637	1,607	1,632	1,551

Under the proposed legislation, these counterclaims would now be subject to the \$73 General Court of Justice civil district filing fee, the \$4 judicial phone systems fee, and the \$16 local facilities fee. Using the 2009 number of cases as a conservative estimate, revenue would be as follows:

	Fee	Annual Revenue	Prorated for Oct. 1
General Fund	\$73	\$113,223	\$84,917
AOC Technology Fund	\$4	\$6,204	\$4,653
Local Governments	\$16	\$24,816	\$18,612
Total:	\$93	\$144,243	\$108,182

SOURCES OF DATA: Judicial Branch

TECHNICAL CONSIDERATIONS: None

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DATE: June 16, 2010



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