

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2003**

**SESSION LAW 2004-21
HOUSE BILL 1497**

**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 January 1, 2005.

In the General Assembly read three times and ratified this the 15th day of June, 2004.

s/ Beverly E. Perdue
President of the Senate

s/ James B. Black
Speaker of the House of Representatives

s/ Michael F. Easley
Governor

Approved 12:04 p.m. this 25th day of June, 2004