

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2003

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SENATE DRS75088-LH-65 (02/20)

Short Title: UNC Fines/Clarify Deduction of Collect Costs. (Public)

Sponsors: Senator Rand.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO CLARIFY THAT THE AMOUNT OF THE CLEAR PROCEEDS OF THE PENALTIES, FINES, AND FORFEITURES COLLECTED BY THE UNIVERSITY OF NORTH CAROLINA THAT IS ALLOCATED TO A LOCAL SCHOOL ADMINISTRATIVE UNIT SHALL BE DECREASED BY THE ACTUAL ASSESSMENT AND COLLECTION COST.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 115C-437 reads as rewritten:

"§ 115C-437. Allocation of revenues to the local school administrative unit by the county.

(a) Revenues accruing to the local school administrative unit by virtue of Article IX, Sec. 7, of the Constitution and taxes levied by or on behalf of the local school administrative unit pursuant to a local act or G.S. 115C-501 to 115C-511 shall be remitted to the school finance officer by the officer having custody thereof within 10 days after the close of the calendar month in which the revenues were received or collected. The clear proceeds of all penalties and forfeitures and of all fines collected for any breach of the penal laws of the State, as referred to in Article IX, Sec. 7 of the Constitution, shall include the full amount of all penalties, forfeitures or fines collected under authority conferred by the State, diminished only by the actual costs of collection, not to exceed ten percent (10%) of the amount ~~collected.~~ collected, except as provided in subsection (b) of this section.

Revenues appropriated to the local school administrative unit by the board of county commissioners from general county revenues shall be made available to the school finance officer by such procedures as may be mutually agreeable to the board of education and the board of county commissioners, but if no such agreement is reached, these funds shall be remitted to the school finance officer by the county finance officer in monthly installments sufficient to meet its lawful expenditures from the county

1 appropriation until the county appropriation to the local school administrative unit is
2 exhausted. Each installment shall be paid not later than 10 days after the close of each
3 calendar month. When revenue has been appropriated to the local school administrative
4 unit by the board of county commissioners from funds which carry specific restrictions
5 binding upon the county as recipient, the board of commissioners must inform the local
6 school administrative unit in writing of those restrictions.

7 (b) The clear proceeds of all penalties, forfeitures, and fines of The University of
8 North Carolina shall be the full amount collected by The University of North Carolina,
9 diminished only by the actual costs related to assessing and collecting the penalties,
10 forfeitures, and fines."

11 **SECTION 2.** This act is effective when it becomes law.