

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2005

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SENATE DRS65155-LL-40B* (2/4)

Short Title: Business Court Cases/Fee. (Public)

Sponsors: Senators Clodfelter, and Stevens.

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO PROVIDE FOR THE ASSIGNMENT OF SPECIAL SUPERIOR
3 COURT JUDGES TO HEAR COMPLEX BUSINESS CASES AND TO
4 AUTHORIZE A LARGER FEE FOR THOSE CASES.

5 The General Assembly of North Carolina enacts:

6 **SECTION 1.** Article 7 of Chapter 7A of the General Statutes is amended by
7 adding a new section to read:

8 "**§ 7A-45.3. Superior court judges designated for complex business cases.**

9 The Chief Justice may exercise the authority under rules of practice prescribed
10 pursuant to G.S. 7A-34 to designate one or more of the special superior court judges
11 authorized by G.S. 7A-45.1 to hear and decide complex business cases as prescribed by
12 the rules of practice."

13 **SECTION 2.** G.S. 7A-305(a) reads as rewritten:

14 "(a) In every civil action in the superior or district court, except for actions
15 brought under Chapter 50B of the General Statutes, the following costs shall be
16 assessed:

- 17 (1) For the use of the courtroom and related judicial facilities, the sum of
18 twelve dollars (\$12.00) in cases heard before a magistrate, and the sum
19 of sixteen dollars (\$16.00) in district and superior court, to be remitted
20 to the county in which the judgment is rendered, except that in all
21 cases in which the judgment is rendered in facilities provided by a
22 municipality, the facilities fee shall be paid to the municipality. Funds
23 derived from the facilities fees shall be used in the same manner, for
24 the same purposes, and subject to the same restrictions, as facilities
25 fees assessed in criminal actions.
- 26 (2) For support of the General Court of Justice, the sum of sixty-nine
27 dollars (\$69.00) in the superior court, ~~court~~ except that if a case is

1 assigned to a special superior court judge as a complex business case
2 under G.S. 7A-45.3 the sum shall be two hundred sixty-nine dollars
3 (\$269.00), and the sum of fifty-four dollars (\$54.00) in the district
4 court except that if the case is assigned to a magistrate the sum shall be
5 forty-three dollars (\$43.00). Sums collected under this subdivision
6 shall be remitted to the State Treasurer. The State Treasurer shall remit
7 the sum of one dollar and five cents (\$1.05) of each fee collected under
8 this subdivision to the North Carolina State Bar for the provision of
9 services described in G.S. 7A-474.4, and ninety-five cents (\$.95) of
10 each fee collected under this subdivision to the North Carolina State
11 Bar for the provision of services described in G.S. 7A-474.19."

12 **SECTION 3.** This act becomes effective January 1, 2006, and applies to fees
13 assessed or collected on or after that date.