

GENERAL ASSEMBLY OF NORTH CAROLINA
1985 SESSION

CHAPTER 481
HOUSE BILL 534

AN ACT TO MODIFY COURT COSTS.

The General Assembly of North Carolina enacts:

Section 1. G.S. 7A-307(a)(2) is amended by deleting the third sentence and adding the following in its place:

"In collections of personal property by affidavit, the fee based on the gross estate shall be computed from the information in the final affidavit of collection made pursuant to G.S. 28A- 25-3 and shall be paid when that affidavit is filed. In all other cases, this fee shall be computed from the information reported in the inventory and shall be paid when the inventory is filed with the clerk."

Sec. 2. G.S. 7A-307(b) is amended by deleting the first sentence and adding the following in its place:

"In collections of personal property by affidavit, the facilities fee and twenty-two dollars (\$22.00) of the General Court of Justice fee shall be paid at the time of filing the qualifying affidavit pursuant to G.S. 28A-25-1. In all other cases, these fees shall be paid at the time of filing of the first inventory."

Sec. 3. G.S. 7A-307(b1)(1) is amended by adding between the words "filing" and "a" the words "and indexing".

Sec. 4. G.S. 7A-307(b1)(2) is amended by deleting the word "testamentary" and inserting in its place the words "to fiduciaries".

Sec. 5. G.S. 7A-307(b1) is amended by adding a new subdivision (5) to read as follows:

"(5) Docketing and indexing a will probated in another county in the State
-first page \$1.00
-each additional page or fraction thereof25"

Sec. 6. G.S. 7A-308(a)(6) is amended by deleting "maiden" and inserting "former".

Sec. 7. G.S. 7A-308(a)(11) is rewritten as follows:

"(11) recording or docketing (including indexing) any document
__first page \$4.00
-each additional page or fraction thereof..... .25."

Sec. 8. G.S. 7A-308(a)(13) is amended by adding between the words "preparation" and "of" the following: "and docketing".

Sec. 9. a. The fee specified in the second sentence of G.S. 7A-306(a)(2), as amended by Chapter 713 of the 1983 Session Laws, shall be assessed at the conclusion

of the proceeding if there is no sale, or at the time the property is sold if there is a sale, regardless of the date the proceeding was initiated.

b. The additional sum based on the final sale price specified in G.S. 7A-308(a)(1), as amended by Chapter 713 of the 1983 Session Laws, shall be assessed at the time the property is sold, regardless of the date the action or proceeding was initiated.

c. Except as otherwise specified in this section, the miscellaneous fees specified in G.S. 7A-308, as amended by Chapter 713 of the 1983 Session Laws, shall be assessed at the time the service is rendered.

d. The fee set out in Section 5 of this act shall be assessed at the time the service is rendered.

Sec. 10. This act shall become effective October 1, 1985.

In the General Assembly read three times and ratified, this the 27th day of June, 1985.