

GENERAL ASSEMBLY OF NORTH CAROLINA
1993 SESSION

CHAPTER 383
SENATE BILL 204

AN ACT TO IMPLEMENT A RECOMMENDATION OF THE GOVERNMENT
PERFORMANCE AUDIT COMMITTEE TO MAKE THE CERTIFICATE OF
NEED PROGRAM SELF-FUNDED BY INCREASING THE MINIMUM AND
MAXIMUM CON APPLICATION FEES.

The General Assembly of North Carolina enacts:

Section 1. The General Assembly finds that, while other states with certificate of need agencies have increased fees or downsized staff to fund their programs without state revenue, the application fees generated by North Carolina's certificate of need program currently cover only seventy-five percent (75%) of program expenses.

Sec. 2. G.S. 131E-177(9) reads as rewritten:

"(9) Establish and collect fees for submitting applications for ~~certificates of need, which fees shall be based on the total cost of the project for which the applicant is applying.~~ certificates of need. The fee schedule established should generate sufficient revenue to offset the entire cost of the certificate of need program. This fee may not exceed fifteen thousand dollars (\$15,000) seventeen thousand five hundred dollars (\$17,500) and may not be less than four hundred dollars (\$400.00) two thousand dollars (\$2,000)."

Sec. 3. G.S. 131E-177(9), as amended by Section 1 of this act, reads as rewritten:

"(9) Establish and collect fees for submitting applications for certificates of need. The fee schedule established should generate sufficient revenue to offset the entire cost of the certificate of need program. This fee may not exceed seventeen thousand five hundred dollars (\$17,500) and may not be less than two thousand dollars (\$2,000). Fees collected under this subdivision shall be credited to the General Fund as nontax revenue."

Sec. 4. Section 3 of this act becomes effective July 1, 1994. The remaining sections of this act become effective upon ratification and apply to applications submitted on or after that date.

In the General Assembly read three times and ratified this the 18th day of July, 1993.

Dennis A. Wicker
President of the Senate

Daniel Blue, Jr.
Speaker of the House of Representatives