

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2005

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SENATE BILL 1399

Short Title: UNC Fines and Forfeitures/Clear Proceeds.

(Public)

Sponsors: Senators Stevens; and Rand.

Referred to: Appropriations/Base Budget.

May 16, 2006

1 A BILL TO BE ENTITLED
2 AN ACT DEFINING THE CLEAR PROCEEDS OF PENALTIES, FINES, AND
3 FORFEITURES OF THE UNIVERSITY OF NORTH CAROLINA.

4 The General Assembly of North Carolina enacts:

5 SECTION 1. G.S. 115C-457.2 reads as rewritten:

6 "§ 115C-457.2. Remittance of moneys to the Fund.

7 (a) The clear proceeds of all civil penalties, civil forfeitures, and civil fines that
8 are collected by a State agency and that the General Assembly is authorized to place in a
9 State fund pursuant to Article IX, Section 7(b) of the Constitution shall be remitted to
10 the Office of State Budget and Management by the officer having custody of the funds
11 within 10 days after the close of the calendar month in which the revenues were
12 received or collected. Notwithstanding any other law, all such funds shall be deposited
13 in the Civil Penalty and Forfeiture Fund. The clear proceeds of these funds include the
14 full amount of all civil penalties, civil forfeitures, and civil fines collected under
15 authority conferred by the State, diminished only by the actual costs of collection, not to
16 exceed twenty percent (20%) of the amount collected.

17 (b) The clear proceeds of all penalties, forfeitures, and fines of The University of
18 North Carolina shall be the full amount collected by The University of North Carolina,
19 diminished only by the direct, actual costs of assessing and collecting the penalties,
20 forfeitures, and fines. Those costs shall be itemized in an accounting to be provided
21 when the proceeds are remitted by the University."

22 SECTION 2. This act becomes effective July 1, 2006.