

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2005**

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SENATE BILL 1978

Short Title: Sunset State Bar Surcharge. (Public)

Sponsors: Senators Berger of Rockingham; Allran, Brock, Brown, Goodall, Smith, Stevens, and Tillman.

Referred to: Rules and Operations of the Senate.

May 26, 2006

A BILL TO BE ENTITLED

1 AN ACT TO SUNSET AT THE END OF 2006 THE SURCHARGE THAT
2 ATTORNEYS MUST PAY TO HELP FINANCE THE NORTH CAROLINA
3 PUBLIC CAMPAIGN FUND.
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5 The General Assembly of North Carolina enacts:

6 **SECTION 1.** G.S. 84-34 reads as rewritten:

7 **"§ 84-34. Membership fees and list of members.**

8 Every active member of the North Carolina State Bar shall, prior to the first day of
9 July of each year, pay to the secretary-treasurer an annual membership fee in an amount
10 determined by the Council but not to exceed three hundred dollars (\$300.00), ~~plus a~~
11 ~~surcharge of fifty dollars (\$50.00) for the implementation of Article 22D of Chapter 163~~
12 ~~of the General Statutes,~~ and every member shall notify the secretary-treasurer of the
13 member's correct mailing address. Any member who fails to pay the required dues by
14 the last day of June of each year shall be subject to a late fee in an amount determined
15 by the Council but not to exceed thirty dollars (\$30.00). All dues for prior years shall be
16 as were set forth in the General Statutes then in effect. The membership fee shall be
17 regarded as a service charge for the maintenance of the several services authorized by
18 this Article, and shall be in addition to all fees required in connection with admissions to
19 practice, and in addition to all license taxes required by law. The fee shall not be
20 prorated: Provided, that no fee shall be required of an attorney licensed after this Article
21 shall have gone into effect until the first day of January of the calendar year following
22 that in which the attorney was licensed; but this proviso shall not apply to attorneys
23 from other states admitted on certificate. The fees shall be disbursed by the
24 secretary-treasurer on the order of the Council. ~~The fifty dollar (\$50.00) surcharge shall~~
25 ~~be sent on a monthly schedule to the State Board of Elections.~~ The secretary-treasurer
26 shall annually, at a time and in a law magazine or daily newspaper to be prescribed by
27 the Council, publish an account of the financial transactions of the Council in a form to
28 be prescribed by it. The secretary-treasurer shall compile and keep currently correct

1 from the names and mailing addresses forwarded to the secretary-treasurer and from any
2 other available sources of information a list of members of the North Carolina State Bar
3 and furnish to the clerk of the superior court in each county, not later than the first day
4 of October in each year, a list showing the name and address of each attorney for that
5 county who has not complied with the provisions of this Article. The name of each of
6 the active members who are in arrears in the payment of membership fees shall be
7 furnished to the presiding judge at the next term of the superior court after the first day
8 of October of each year, by the clerk of the superior court of each county wherein the
9 member or members reside, and the court shall thereupon take action that is necessary
10 and proper. The names and addresses of attorneys so certified shall be kept available to
11 the public. The Secretary of Revenue is hereby directed to supply the
12 secretary-treasurer, from records of license tax payments, with any information for
13 which the secretary-treasurer may call in order to enable the secretary-treasurer to
14 comply with this requirement.

15 The list submitted to several clerks of the superior court shall also be submitted to
16 the Council at its October meeting of each year and it shall take the action thereon that
17 is necessary and proper."

18 **SECTION 2.** G.S. 163-278.63(b)(7) is repealed.

19 **SECTION 3.** This act becomes effective January 1, 2007.