



SENATE BILL 99: Appropriations Act of 2018, Sec. 18B.1: Notice of Fee Waiver/Implementation Report

2017-2018 General Assembly

Committee:		Date:	August 15, 2018
Introduced by:		Prepared by:	Susan Sitze
Analysis of:	Sec. 18B.1 of S.L. 2018-5		Staff Attorney

OVERVIEW: *Sec. 18B.1 of S.L. 2018-5 requires the Administrative Office of the Courts (AOC) to report annually to the Joint Legislative Oversight Committee on Justice and Public Safety (JPS Oversight) on the implementation of the notice of waiver of costs to government entities directly affected when a court waives costs in a criminal action.*

This section became effective July 1, 2018.

CURRENT LAW: G.S. 7A-304(a) provides for costs in a criminal action and also provides that "[n]o court may waive or remit all or part of any court fines or costs without providing notice and opportunity to be heard by all government entities directly affected. The court shall provide notice to the government entities directly affected of (i) the date and time of the hearing and (ii) the right to be heard and make an objection to the remission or waiver of all or part of the order of court costs at least 15 days prior to hearing. Notice shall be made to the government entities affected by first-class mail to the address provided for receipt of court costs paid pursuant to the order."

BILL ANALYSIS: This section requires AOC to report on October 1, 2018, and annually thereafter, to JPS Oversight on the implementation of the notice of waiver of costs to the government entities directly affected as required by G.S. 7A-304(a).

EFFECTIVE DATE: This section became effective July 1, 2018.

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