



HOUSE BILL 296: Respect for Families- LEOs/Firefighters/EMS.

2019-2020 General Assembly

Committee:	House Judiciary. If favorable, re-refer to Finance. If favorable, re-refer to Rules, Calendar, and Operations of the House	Date:	April 24, 2019
Introduced by:	Reps. Ball, McNeill, Reives, C. Smith	Prepared by:	Tawanda N. Foster Committee Co-Counsel
Analysis of:	PCS to First Edition H296-CSTV-16		

OVERVIEW: *The PCS to House Bill 296 allows Clerks of Court to waive any costs or fees arising out of guardianship or incompetency proceedings made on behalf of law enforcement officers, firefighters, and EMS personnel when the need for these proceedings arises out of injuries sustained in the line of duty. The PCS added firefighters and EMS personnel to the original bill.*

[As introduced, this bill was identical to S314, as introduced by Sens. Chaudhuri, Britt, which is currently in Senate Rules and Operations of the Senate.]

CURRENT LAW: G.S. 7A-103 lists the actions clerks of superior court are authorized to take in the course of their position. This list includes:

- Issuing subpoenas,
- Administering oaths,
- Issuing commissions to take testimony,
- Issuing citations and orders to show cause,
- Enforcing all lawful orders or decrees,
- Certifying and exemplifying, under seal of the court, all documents, papers, and records,
- Preserving order in the court, punishing criminal contempt, and holding person in civil contempt,
- Adjourning any proceeding pending,
- Opening, vacating, setting aside, or entering decrees and orders,
- Entering default or judgement in actions or proceedings pending,
- Awarding costs and disbursements,
- Compelling an accounting by magistrates,
- Granting and revoking letters testamentary, letters of administration, and letters of trusteeship,
- Appointing and removing guardians and trustees,
- Auditing the accounts of fiduciaries, and

Karen Cochrane-Brown
Director



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- Exercising jurisdiction.

BILL ANALYSIS: This PCS adds to the list of authorized actions for clerks of superior court the ability to waive any costs or fees for special proceedings for any petitioner in matters of incompetency and guardianship made on behalf of law enforcement officers, firefighters, and EMS personnel when the need for these proceedings arises out of injuries sustained in the line of duty.

EFFECTIVE DATE: This act is effective when it becomes law.