

**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2003**

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**HOUSE BILL 1594  
Second Edition Engrossed 6/24/04  
Senate Finance Committee Substitute Adopted 7/8/04**

Short Title: Alarm Systems Lic. Fees/Reg. Agency Setoff. (Public)

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Sponsors:

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Referred to:

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May 20, 2004

1 A BILL TO BE ENTITLED  
2 AN ACT AUTHORIZING THE ALARM SYSTEMS LICENSING BOARD TO  
3 INCREASE CERTAIN FEES AND ESTABLISH A NEW FEE UNDER THE  
4 ALARM SYSTEMS LICENSING ACT AND EXTENDING TO LOCAL  
5 GOVERNMENTS ACTING JOINTLY THE SAME SETOFF DEBT  
6 COLLECTION PROCEDURES CURRENTLY ALLOWED TO LOCAL  
7 GOVERNMENTS ACTING ALONE.

8 The General Assembly of North Carolina enacts:

9 **SECTION 1.** G.S. 74D-7(e) reads as rewritten:

10 "(e) The Board may charge fees as follows:

- 11 (1) A nonrefundable initial license application fee in an amount not to  
12 exceed one hundred fifty dollars (\$150.00).
- 13 (2) A new or renewal license fee in an amount not to exceed ~~three hundred~~  
14 ~~fifty dollars (\$350.00)~~ five hundred dollars (\$500.00).
- 15 (3) A late license renewal fee to be paid in addition to the renewal fee due  
16 in an amount not to exceed one hundred dollars (\$100.00), if the  
17 license has not been renewed on or before the expiration date of the  
18 license.
- 19 (4) A registration fee in an amount not to exceed ~~twenty dollars~~  
20 ~~(\$20.00)~~ fifty dollars (\$50.00) plus any fees charged to the board for  
21 background checks by the State Bureau of Investigation.
- 22 (5) A fee for reregistration of an employee who changes employment to  
23 another licensee, not to exceed ten dollars (\$10.00).
- 24 (6) A branch office certificate fee not to exceed one hundred fifty dollars  
25 (\$150.00).
- 26 (7) A fee not to exceed fifty dollars (\$50.00) for each reconsideration of a  
27 license or registration permit that has been filed or returned to the  
28 applicant for correctable errors.

1 All fees collected pursuant to this section shall be expended, under the direction of the  
2 Board, for the purpose of defraying the expense of administering this Chapter."

3 **SECTION 2.** G.S. 105A-2 reads as rewritten:

4 "**§ 105A-2. Definitions.**

5 The following definitions apply in this Chapter:

6 (1) Claimant agency. – Either of the following:

7 a. A State agency.

8 b. A local agency acting through a clearinghouse or an  
9 organization pursuant to G.S. 105A-3(b1).

10 (2) Debt. – Any of the following:

11 a. A sum owed to a claimant agency that has accrued through  
12 contract, subrogation, tort, operation of law, or any other legal  
13 theory regardless of whether there is an outstanding judgment  
14 for the sum.

15 b. A sum a claimant agency is authorized or required by law to  
16 collect, such as child support payments collectible under Title  
17 IV, Part D of the Social Security Act.

18 c. A sum owed as a result of an intentional program violation or a  
19 violation due to inadvertent household error under the Food  
20 Stamp Program enabled by Chapter 108A, Article 2, Part 5.

21 d. Reserved for future codification purposes.

22 e. A sum owed as a result of having obtained public assistance  
23 payments under any of the following programs through an  
24 intentional false statement, intentional misrepresentation,  
25 intentional failure to disclose a material fact, or inadvertent  
26 household error:

27 1. The Work First Program provided in Article 2 of Chapter  
28 108A of the General Statutes.

29 2. The State-County Special Assistance for Adults Program  
30 enabled by Part 3 of Article 2 of Chapter 108A of the  
31 General Statutes.

32 3. A successor program of one of these programs.

33 (3) Debtor. – An individual who owes a debt.

34 (4) Department. – The Department of Revenue.

35 (5) Reserved.

36 (6) Local agency. – Any of the following:

37 a. A county, to the extent it is not considered a State agency.

38 b. A municipality.

39 c. A water and sewer authority created under Article 1 of Chapter  
40 162A of the General Statutes.

41 d. A regional joint agency created by interlocal agreement under  
42 Article 20 of Chapter 160A of the General Statutes between two  
43 or more counties, cities, or both.

1           (7) Net proceeds collected. – Gross proceeds collected through setoff  
2           against a debtor's refund minus the collection assistance fees provided  
3           in G.S. 105A-13.

4           (8) Refund. – An individual's North Carolina income tax refund.

5           (9) State agency. – Any of the following:

6           a. A unit of the executive, legislative, or judicial branch of State  
7           government.

8           b. A ~~county~~local agency, to the extent it administers a program  
9           supervised by the Department of Health and Human Services or  
10          it operates a Child Support Enforcement Program, enabled by  
11          Chapter 110, Article 9, and Title IV, Part D of the Social  
12          Security Act."

13           **SECTION 3.** Section 2 of this act becomes effective January 1, 2005, and  
14          applies to income tax refunds determined on or after that date. The remainder of this act  
15          is effective when it becomes law.