

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009**

H

1

HOUSE BILL 1212

Short Title: Fee For Dropping Criminal Charges. (Public)

Sponsors: Representatives Brubaker; and Hurley.

Referred to: Judiciary III, if favorable, Finance.

April 8, 2009

A BILL TO BE ENTITLED

AN ACT TO AUTHORIZE A FEE TO BE ASSESSED AGAINST A COMPLAINANT WHO
DROPS THE CHARGES OR REFUSES TO COOPERATE WITH THE PROSECUTION.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 7A-304 is amended by adding a new subsection to read:

"(a2) A fee of one hundred dollars (\$100.00) may be assessed in the discretion of the court against a complainant who has caused the issuance of a criminal warrant or summons but subsequently drops the charges or refuses to cooperate with the prosecution of the case, in order to compensate the court for the time and expense of serving the warrant or summons, for the scheduling of the case on the criminal docket, and for related expenses."

SECTION 2. The Administrative Office of the Courts shall (i) determine and implement effective methods of notifying potential complainants that the issuance of a criminal warrant obligates them to follow through and cooperate with the prosecution of the criminal case they are initiating; and (ii) develop guidelines for judges in determining the appropriate circumstances for assessing the fee authorized under this section.

SECTION 3. Section 1 of this act becomes effective December 1, 2009, and applies to criminal warrants issued on and after that date. The remainder of this act is effective when it becomes law.

