

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009

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HOUSE DRH80284-LLf-209 (3/24)

Short Title: Fee For Dropping Criminal Charges.

(Public)

Sponsors: Representative Brubaker.

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO AUTHORIZE A FEE TO BE ASSESSED AGAINST A COMPLAINANT WHO
3 DROPS THE CHARGES OR REFUSES TO COOPERATE WITH THE PROSECUTION.
4 The General Assembly of North Carolina enacts:
5 **SECTION 1.** G.S. 7A-304 is amended by adding a new subsection to read:
6 "(a2) A fee of one hundred dollars (\$100.00) may be assessed in the discretion of the
7 court against a complainant who has caused the issuance of a criminal warrant or summons but
8 subsequently drops the charges or refuses to cooperate with the prosecution of the case, in order
9 to compensate the court for the time and expense of serving the warrant or summons, for the
10 scheduling of the case on the criminal docket, and for related expenses."
11 **SECTION 2.** The Administrative Office of the Courts shall (i) determine and
12 implement effective methods of notifying potential complainants that the issuance of a criminal
13 warrant obligates them to follow through and cooperate with the prosecution of the criminal
14 case they are initiating; and (ii) develop guidelines for judges in determining the appropriate
15 circumstances for assessing the fee authorized under this section.
16 **SECTION 3.** Section 1 of this act becomes effective December 1, 2009, and
17 applies to criminal warrants issued on and after that date. The remainder of this act is effective
18 when it becomes law.

