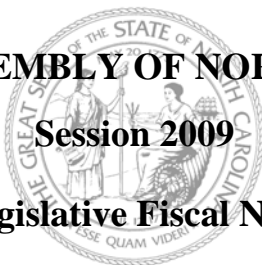


GENERAL ASSEMBLY OF NORTH CAROLINA



Session 2009

Legislative Fiscal Note

BILL NUMBER: House Bill 200 (Second Edition)

SHORT TITLE: Fee for Probate Payment to Clerk.

SPONSOR(S): Representatives Spear and Randleman

FISCAL IMPACT					
	Yes (X)	No ()	No Estimate Available (X)		
	<u>FY 2009-10</u>	<u>FY 2010-11</u>	<u>FY 2011-12</u>	<u>FY 2012-13</u>	<u>FY 2013-14</u>
REVENUES:					
Judicial Branch					
County facilities					
	Indeterminate fiscal impact, some revenue anticipated				
PRINCIPAL DEPARTMENT(S) & PROGRAM(S) AFFECTED: Judicial Branch; County facilities					
EFFECTIVE DATE: October 1, 2009					

BILL SUMMARY:

Amends GS 7A-307 to provide that for an estate administered or settled pursuant to GS 28A-25-6 (paying debt to the clerk of the superior court as an alternative to the small estate settlement procedures) the aggregate sum paid or tendered with respect to the decedent’s estate is more than \$250, the clerk must assess a facilities fee (\$10) and assess a \$20 fee for support of the General Court of Justice. Prohibits costs from being assessed for an estate administered under GS 28A-25-6 when the aggregate sum paid or tendered with respect to the decedent’s estate is \$250 or less. Provides that no other costs are to be assessed when an estate is settled or administered under GS 28A-25-6 except as provided in this proposed subdivision. Effective for estates of decedents dying on or after October 1, 2009.

Source: Bill Digest H.B. 200 (02/17/0200)

ASSUMPTIONS AND METHODOLOGY:

Judicial Branch

Staff from the NC Administrative Office of the Courts (AOC) reported that data show a total of 11,940 estates in 2007-08 with payment to the clerk under G.S. 28a-25-6. AOC cannot determine the number of estates with an aggregate value of more than \$250. If, as one extreme, all estates involved aggregate sums of more than \$250, based on 2007-08 data there would be revenue of \$119,400 for county facilities and \$238,800 for the General Court of Justice.

SOURCES OF DATA: NC Administrative Office of the Courts

TECHNICAL CONSIDERATIONS: None

FISCAL RESEARCH DIVISION: (919) 733-4910

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Fiscal Research Division

DATE: June 17, 2009



Signed Copy Located in the NCGA Principal Clerk's Offices