



CHAPTER 105A
ARTICLE 1 - IN GENERAL

N.C.G.S. § 105A-3.

Remedies additional; mandatory State
usage; optional local usage of setoff -
f collection only; obtaining identifying
information; registration.

SOURCE	LAST AMENDMENT IN THIS TEXT	RETRIEVED	SOURCE FINGERPRINT
General Statutes of North Carolina, as published by the General Assembly	S.L. 2025-83, s. 11(a) — eighth act in the lineage	21 September 2026, 03:38 UTC	733ccbffd5ce2bc165e3079c - 77fa7e71b4e11323cfae7 - f0e20caf5e6e266a

- § 105A-3(a)

Remedies Additional. - The collection remedies under this Chapter are in addition to and not in substitution for any other remedy available by law.
- § 105A-3(b)

Mandatory State Usage. - A State agency must submit a debt owed to it for collection under this Chapter unless the State Controller has waived this requirement or the State agency has determined that the validity of the debt is legitimately in dispute, an alternative means of collection is pending and believed to be adequate, or such a collection attempt would result in a loss of federal funds. The State Controller may waive the requirement for a State agency, other than the Department of Health and Human Services or a county acting on behalf of that Department, to submit a debt owed to it for collection under this Chapter if the State Controller finds that collection by this means would not be practical or cost effective. A waiver may apply to all debts owed a State agency or a type of debt owed a State agency.
- § 105A-3(b1)

Optional Local Usage of Setoff Collection Only. - A local agency may submit a debt owed to it for setoff collection under this Chapter. A local agency may not submit a debt owed to it for forced collection under this Chapter. A local agency that decides to submit a setoff debt owed to it for collection under this Chapter must establish the

debt by following the procedure set in G.S. 105A-5 and must submit the debt through one of the following:

- (1) A clearinghouse that is established pursuant to an interlocal agreement adopted under Article 20 of Chapter 160A of the General Statutes and has agreed to submit debts on behalf of any requesting local agency.
- (2) The North Carolina League of Municipalities.
- (3) The North Carolina Association of County Commissioners.

§ 105A-3(c)

Identifying Information. - All claimant agencies shall whenever possible obtain the full name, social security number or federal identification number, address, and any other identifying information required by the Department from any person for whom the agencies provide any service or transact any business and who the claimant agencies can foresee may become a debtor under this Chapter.

§ 105A-3(d)

Registration and Reports. - A State agency must register with the Department and with the State Controller. Every State agency must report annually to the State Controller the amount of setoff debts owed to the agency for which the agency did not submit a claim for setoff and the reason for not submitting the claim.

A clearinghouse or an organization that submits debts on behalf of a local agency must register with the Department. Once a clearinghouse registers with the Department under this subsection, no other clearinghouse may register to submit debts for collection under this Chapter.

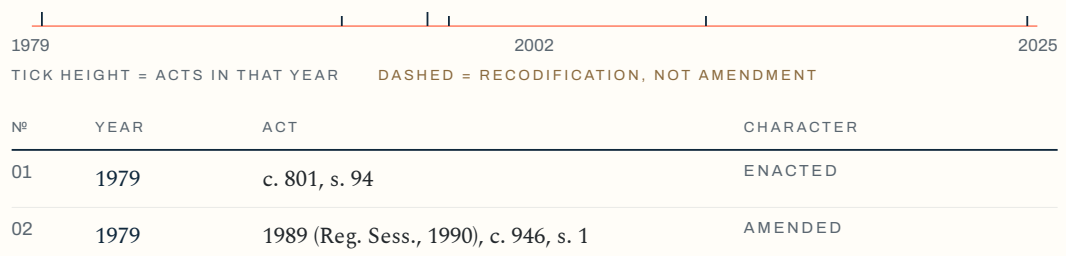
END OF SECTION TEXT

APPARATUS FOLLOWS — DERIVED. NOT ENACTED

APPARATUS I
8 ACTS

Amendment lineage

The State prints this history as a single parenthetical at the foot of the section. It is reproduced verbatim in the colophon and unpacked below in order of enactment.



03	1993	c. 512, s. 4	AMENDED
04	1997	S.L. 1997-443, s. 11A.122	AMENDED
05	1997	S.L. 1997-490, s. 1	AMENDED
06	1998	S.L. 1998-212, s. 12.3A(a), (b)	AMENDED
07	2010	S.L. 2010-31, s. 31.8(e)	AMENDED
08	2025	S.L. 2025-83, s. 11(a)	AMENDED

APPARATUS II
1 AUTHORITY

Authorities referenced

Every G.S. cross-reference appearing in the text of this section, in order of first appearance. Nothing is characterized; the operative language is quoted from the section itself.

REFERENCE	APPEARS IN	OPERATIVE LANGUAGE IN THIS SECTION
G.S. 105A-5	(b1)	"by following the procedure set in"

APPARATUS III

Citation

FULL SECTION

N.C. Gen. Stat. § 105A-3 (2025).

PINPOINT

N.C. Gen. Stat. § 105A-3(a) (2025).

Pinpoint keys are set in the left margin of the text rather than line numbers: subsection designators are stable across editions and paper sizes, line numbers are not.

COLOPHON

Provenance

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This is not the official text. The official text is published by the General Assembly of North Carolina.

HISTORY PARENTHETICAL, AS PRINTED BY THE STATE

(1979, c. 801, s. 94; 1989 (Reg. Sess., 1990), c. 946, s. 1; 1993, c. 512, s. 4; 1997-443, s. 11A.122; 1997-490, s. 1; 1998-212, s. 12.3A(a), (b); 2010-31, s. 31.8(e); 2025-83, s. 11(a).)

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