



CHAPTER 105B
ARTICLE 1 - WITHHOLDING OF PERSONAL EARNINGS

N.C.G.S. § 105B-1.

Purpose and Definitions.

SOURCE General Statutes of North Carolina, as published by the General Assembly	LAST AMENDMENT IN THIS TEXT c. 475, s. 1 — first act in the lineage	RETRIEVED 21 September 2026, 03:32 UTC	SOURCE FINGERPRINT d57bda0c78fbd8301f78d490 - e92ea961e4b22e1aee55c841 - 47d4e1449c4f5a71
--	--	---	--

§ 105B-1(a) It is the purpose of this Article to enable the State Education Assistance Authority to seek an order of withholding of personal earnings against a debtor who owes money to the Authority through default on a student loan as a means of enforcing a judgment which requires the payment of money to the Authority.

§ 105B-1(b) As used in this Article:

- (1) "Annual federal poverty guidelines" means the annual federal poverty guidelines issued by the United States Department of Health and Human Services in effect at the time in question.
- (2) "Authority" means the State Education Assistance Authority as enabled by Article 23 of Chapter 116 of the General Statutes.
- (3) "Debtor" means any individual owing money to the Authority through default on a student loan made, guaranteed or owned by the Authority, which obligation has not been adjudicated satisfied by court order, set aside by court order, or discharged in bankruptcy.
- (4) "Family" means a parent or parents and minor children or spouses that reside together.
- (5) "Family income" means family income as set out in the annual federal poverty guidelines.
- (6) "Mistake of fact" means that the debtor:

- a.Is not the actual person named in the judgment that is the basis for a withholding action under this section;
 - b.Has satisfied the obligation represented by the judgment in full and is entitled to have the judgment cancelled; or
 - c.Does not have monthly disposable earnings or is not employed by the payor as stated by the Authority in its motion to the court.
 - d.Has family income at or below two hundred percent (200%) of the annual federal poverty guidelines.
- (7) "Payor" means the person, firm, association or corporation by whom the debtor is employed.
- (8) "Student loan" means a loan or loans made to eligible students or parents of students to aid in obtaining an education beyond the high school level.

END OF SECTION TEXT

APPARATUS FOLLOWS — DERIVED, NOT ENACTED

APPARATUS I
1 ACT

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.

1 1989 TICK HEIGHT = ACTS IN THAT YEAR 1990 DASHED = RECODIFICATION, NOT AMENDMENT			
Nº	YEAR	ACT	CHARACTER
01	1989	c. 475, s. 1	ENACTED

APPARATUS III

Citation

FULL SECTION

N.C. Gen. Stat. § 105B-1 (1989).

PINPOINT

N.C. Gen. Stat. § 105B-1(a) (1989).

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

This document reproduces the text of one section of the General Statutes of North Carolina from a source file whose SHA-256 digest is printed on every page. The digest fixes the bytes this export was made from; if the State's file changes, the digest will not match.

The text of the section is unaltered. Subsection designators have been moved from the run of text into the margin. The amendment history and the table of authorities are derived from the section by mechanical extraction — they add no characterization of the law.

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
(1989, c. 475, s. 1.)

SET IN SPECTRAL AND ARCHIVO
NORTH CAROLINA LAW — STATUTE EXPORT, FORMAT V1

