



CHAPTER 110
ARTICLE 9 - CHILD SUPPORT

N.C.G.S. § 110-130.1.

Non-Work First services.

SOURCE General Statutes of North Carolina, as published by the General Assembly	LAST AMENDMENT IN THIS TEXT S.L. 2018-97, s. 3.4 — twelfth act in the lineage	RETRIEVED 21 September 2026, 02:21 UTC	SOURCE FINGERPRINT 1e7dc231be2e98e5820ab032 - 6ad783a5caa7de8dc18504d1 - 8543919253c3a802
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§ 110-130.1(a) All child support collection and paternity determination services provided under this Article to recipients of public assistance shall be made available to any individual not receiving public assistance in accordance with federal law and as contractually authorized by the nonrecipient, upon proper application and payment of a nonrefundable application fee of twenty-five dollars (\$25.00). The fee shall be reduced to ten dollars (\$10.00) if the individual applying for the services is indigent. An indigent individual is an individual whose gross income does not exceed one hundred percent (100%) of the federal poverty guidelines issued each year in the Federal Register by the U.S. Department of Health and Human Services. For the purposes of this subsection, the term "gross income" has the same meaning as defined in G.S. 105-153.3.

In the case of an individual who has never received assistance under a State program funded pursuant to Title IV-A of the Social Security Act and for whom the State has collected and disbursed to the family in a federal fiscal year at least five hundred fifty dollars (\$550.00) of support, the State shall impose an annual fee of thirty-five dollars (\$35.00) for each case in which services are furnished. The child support agency shall retain the fee from support collected on behalf of the individual. However, the child support agency shall not retain the fee from the first five hundred fifty dollars (\$550.00) collected. The child support agency shall use the fee to support the ongoing operation of the program.

§ 110-130.1(b) Repealed by Session Laws 1989, c. 490.

§ 110-130.1(b1) In cases in which a public assistance debt which accrued pursuant to G.S. 110-135 remains unrecovered, support payments shall be transmitted to the Department

of Health and Human Services for appropriate distribution. When services are terminated and all costs and any public assistance debts have been satisfied, the support payment shall be redirected to the client.

§ 110-130.1(c)

Actions or proceedings to establish, enforce, or modify a duty of support or establish paternity as initiated under this Article shall be brought in the name of the county or State agency on behalf of the public assistance recipient or nonrecipient client. Collateral disputes between a custodial parent and noncustodial parent, involving visitation, custody and similar issues, shall be considered only in separate proceedings from actions initiated under this Article. The attorney representing the designated representative of programs under Title IV-D of the Social Security Act shall be deemed attorney of record only for proceedings under this Article, and not for the separate proceedings. No attorney/client relationship shall be considered to have been created between the attorney who represents the child support enforcement agency and any person by virtue of the action of the attorney in providing the services required.

§ 110-130.1(c1)

The Department is hereby authorized to use the electronic and print media in attempting to locate absent and deserting parents. Due diligence must be taken to ensure that the information used is accurate or has been verified. Print media shall be under no obligation or duty, except that of good faith, to anyone to verify the correctness of any information furnished to it by the Department or county departments of social services.

§ 110-130.1(d)

Any fee imposed by the North Carolina Department of Revenue or the Secretary of the Treasury to cover their costs of withholding for non-Work First arrearages certified for the collection of past due support from State or federal income tax refunds or administrative offsets, as defined by 31 C.F.R. § 285.1(a), shall be borne by the client by deducting the fee from the amount collected.

Any income tax refund offset amounts or administrative offsets, as defined by 31 C.F.R. § 285.1(a), which are subsequently determined to have been incorrectly withheld and distributed to a client, and which must be refunded by the State to a responsible parent or the nondebtor spouse, shall constitute a debt to the State owed by the client.

END OF SECTION TEXT

APPARATUS FOLLOWS — DERIVED, NOT ENACTED

APPARATUS I
12 ACTS

Amendment lineage

1983 2001 2018

TICK HEIGHT = ACTS IN THAT YEAR DASHED = RECODIFICATION, NOT AMENDMENT

Nº	YEAR	ACT	CHARACTER
01	1983	c. 527, s. 1	ENACTED
02	1985	c. 781, ss. 1-5	AMENDED
03	1985	1985 (Reg. Sess., 1986), c. 931, ss. 1-3	AMENDED
04	1989	c. 490	AMENDED
05	1995	c. 538, s. 3	AMENDED
06	1997	S.L. 1997-223, s. 2	AMENDED
07	1997	S.L. 1997-443, ss. 11A.118(a), 12.28	AMENDED
08	2007	S.L. 2007-460, s. 1	AMENDED
09	2015	S.L. 2015-62, s. 2(a)	AMENDED
10	2015	S.L. 2015-117, s. 3	AMENDED
11	2018	S.L. 2018-5, s. 11C.3	AMENDED
12	2018	S.L. 2018-97, s. 3.4	AMENDED

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. 105-153.3	(a)	"the same meaning as defined in"
G.S. 110-135	(b1)	"assistance debt which accrued pursuant to"

APPARATUS III

Citation

FULL SECTION

N.C. Gen. Stat. § 110-130.1 (2018).

PINPOINT

N.C. Gen. Stat. § 110-130.1(a) (2018).

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

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HISTORY PARENTHETICAL, AS PRINTED BY THE STATE

(1983, c. 527, s. 1; 1985, c. 781, ss. 1-5; 1985 (Reg. Sess., 1986), c. 931, ss. 1-3; 1989, c. 490; 1995, c. 538, s. 3; 1997-223, s. 2; 1997-443, ss. 11A.118(a), 12.28; 2007-460, s. 1; 2015-62, s. 2(a); 2015-117, s. 3; 2018-5, s. 11C.3; 2018-97, s. 3.4.)

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