



HOUSE BILL 593: Superseding Domestic Orders.

2019-2020 General Assembly

Committee:	House Judiciary. If favorable, re-refer to Rules, Calendar, and Operations of the House	Date:	April 14, 2019
Introduced by:	Reps. Richardson, Morey, John, Rogers	Prepared by:	Tawanda N. Foster
Analysis of:	First Edition		Committee Co-Counsel

OVERVIEW: *House Bill 593 clarifies that subsequent orders related to custody, child and spousal support, possession of property, and child support supersede like provisions in orders entered under Chapter 50B of the General Statutes.*

CURRENT LAW: G.S. 50B-7 provides the remedies in Chapter 50B are not exclusive, but are in addition to the remedies provided in Chapter 50 and elsewhere in the General Statutes.

BILL ANALYSIS: House Bill 593 clarifies current law to provide that subsequent orders entered under Chapter 50 of the General Statutes related to custody, child and spousal support, possession of property and child support orders entered under Chapter 110 of the General Statutes supersede the like provisions in orders entered under Chapter 50B.

EFFECTIVE DATE: This act becomes effective on October 1, 2019, and applies to orders in effect on or after that date.

BACKGROUND: Protective orders entered under Chapter 50B of the General Statutes are for a fixed period of time not to exceed one year. The aggrieved party may file a motion before the expiration of the current order to renew the order for a fixed period of time not to exceed two years, except that a temporary award of custody entered as part of a protective order may not be renewed to extend a temporary award of custody beyond the maximum one-year period. The court may renew a protective order for good cause. The commission of a domestic violence act as defined in G.S. 50B-1(a) by the defendant after entry of the current order is not required for an order to be renewed.

Karen Cochrane-Brown
Director



Legislative Analysis
Division
919-733-2578