

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 1997

SESSION LAW 1998-219
SENATE BILL 475

AN ACT TO ESTABLISH THE NORTH CAROLINA FUND FOR DISPLACED
HOMEMAKERS TO BE ADMINISTERED BY THE NORTH CAROLINA
COUNCIL FOR WOMEN, AND TO ESTABLISH AN ADDITIONAL CIVIL
ACTION FEE TO BE COLLECTED BY THE COURT IN DIVORCE ACTIONS.

The General Assembly of North Carolina enacts:

Section 1. Part 10B of Article 9 of Chapter 143B of the General Statutes is amended by adding the following new section to read:

"§ 143B-394.10. North Carolina Fund for Displaced Homemakers.

(a) There is established in the Department of Administration the North Carolina Fund for Displaced Homemakers. The Fund shall be administered by the North Carolina Council for Women in accordance with Article 1 of Chapter 143 of the General Statutes and shall be used to make grants to programs for displaced homemakers. The Council shall make quarterly grants to each eligible program. Grants shall be awarded according to criteria established by the Council. No more than ten percent (10%) of these funds shall be used for administrative costs by the Council. In order to be eligible to receive grant funds under this section, a displaced homemaker program shall fulfill all of the criteria established by the Council. The Council shall report annually to the Joint Legislative Commission on Governmental Operations on the revenues credited to the Fund, the programs receiving grants from the Fund, the success of those programs, and the costs associated with administering the Fund.

(b) The Department, upon recommendations by the Council, shall adopt rules to implement the North Carolina Fund for Displaced Homemakers."

Section 2. G.S. 7A-305 is amended by adding the following new subsection to read:

"(a2) In every final action for absolute divorce filed in the district court, a cost of twenty dollars (\$20.00) shall be assessed against the person filing the divorce action. Costs collected by the clerk pursuant to this subsection shall be remitted to the State Treasurer for deposit to the North Carolina Fund for Displaced Homemakers established under G.S. 143B-394.10. Costs assessed under this subsection shall be in addition to any other costs assessed under this section."

Section 3. G.S. 7A-305(c) reads as rewritten:

"(c) The clerk of superior court, at the time of the filing of the papers initiating the action or the appeal, shall collect as advance court costs, the ~~facilities fee and General Court of Justice fee,~~ facilities fee, General Court of Justice fee, and the divorce fee

imposed under subsection (a2) of this section, except in suits by an indigent. The clerk shall also collect the fee for discovery procedures under Rule 27(a) and (b) at the time of the filing of the verified petition."

Section 4. This act becomes effective December 1, 1998, and applies to final actions for divorce filed on and after that date.

In the General Assembly read three times and ratified this the 29th day of October, 1998.

s/ Marc Basnight
President Pro Tempore of the Senate

s/ Harold J. Brubaker
Speaker of the House of Representatives

s/ James B. Hunt, Jr.
Governor

Approved 10:20 a.m. this 4th day of November, 1998