

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2011

HOUSE BILL 660
RATIFIED BILL

AN ACT ALLOWING A RESPONDENT IN AN ACTION FOR A CIVIL NO CONTACT ORDER TO BE SERVED BY MEANS OTHER THAN SERVICE IN PERSON BY A SHERIFF.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 50C-9 reads as rewritten:

"§ 50C-9. **Notice of orders.**

(a) The clerk of court shall deliver on the same day that a civil no-contact order is issued, a certified copy of that order to the sheriff.

(b) ~~Unless~~ If the respondent was not present in court when the order was issued, the ~~sheriff shall serve the order on the respondent and file proof of service~~ respondent may be served in the manner provided for service of process in civil ~~proceedings~~ proceedings in accordance with Rule 4(j) of the Rules of Civil Procedure. If the summons has not yet been served upon the respondent, it shall be served with the order.

(c) A copy of the order shall be issued promptly to and retained by the police department of the municipality of the victim's residence. If the victim's residence is not located in a municipality or in a municipality with no police department, copies shall be issued promptly to and retained by the sheriff and the county police department, if any, of the county in which the victim's residence is located.

(d) Any order extending, modifying, or revoking any civil no-contact order shall be promptly delivered to the sheriff by the clerk and served ~~by the sheriff~~ in a manner provided for service of process in accordance with the provisions of this section."

SECTION 2. This act is effective when it becomes law.

In the General Assembly read three times and ratified this the 7th day of June, 2012.

s/ Walter H. Dalton
President of the Senate

s/ Dale R. Folwell
Speaker Pro Tempore of the House of Representatives

Beverly E. Perdue
Governor

Approved _____ .m. this _____ day of _____, 2012

