

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2015

Legislative Fiscal Note

BILL NUMBER: House Bill 413 (First Edition)

SHORT TITLE: Expand Grandparent Visitation Rights.

SPONSOR(S): Representatives Waddell, Iler, Horn, and Presnell

FISCAL IMPACT (\$ in millions)					
	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input checked="" type="checkbox"/> No Estimate Available		
State Impact	FY 2015-16	FY 2016-17	FY 2017-18	FY 2018-19	FY 2019-20
General Fund Revenues:					
General Fund Expenditures:					
State Positions:					
NET STATE IMPACT	No estimate available. Please see Assumptions & Methodology section for additional details.				
PRINCIPAL DEPARTMENT(S) & PROGRAM(S) AFFECTED: The Administrative Office of the Courts					
EFFECTIVE DATE: October 1, 2015					
TECHNICAL CONSIDERATIONS: None					

BILL SUMMARY:

This bill amends existing G.S. 50-13.2 in subsection (b1) by adding a provisions allowing a grandparent to institute an action or proceeding for visitation rights with the child if there is no pending action regarding the custody of the child. It allows the court to award visitation to a grandparent if certain judicial determinations are made and lists the factors for consideration.

This bill has an effective date of October 1, 2015, and applies to actions for visitation rights commenced on or after that date.

ASSUMPTIONS AND METHODOLOGY:

Grandparent visitation rights are only currently considered when there is an action pending before the court that involves the custody of a child. The changes to G.S. 50-13.2 proposed by this bill would allow a grandparent to initiate a separate action for visitation when there is no other pending visitation action. Any new actions filed under this provision will be new actions before the district court. Additional proceedings will cause workload impact for deputy clerks and district court judges. The Administrative Office of the Courts (AOC) is not able to estimate how many additional hearing may occur due to this bill. However, depending on the facts of the specific case, some of these proceedings could require detailed and possibly lengthy hearings to resolve.

SOURCES OF DATA: The Administrative Office of the Courts

TECHNICAL CONSIDERATIONS: None

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DATE: April 28, 2015



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