

NORTH CAROLINA GENERAL ASSEMBLY
1977 SESSION

CHAPTER 817
HOUSE BILL 1334

AN ACT TO AMEND G.S. 50-6 TO PROVIDE THAT A PLEA OF RECRIMINATION
SHALL NOT BE A BAR TO A PARTY OBTAINING A DIVORCE ON THE GROUND
OF ONE YEAR SEPARATION.

The General Assembly of North Carolina enacts:

Section 1. G.S. 50-6, as it appears in the 1976 Replacement of Volume 2A, is amended by adding the following sentences at the end thereof:

"A plea of res judicata or of recrimination with respect to any provision of G.S. 50-5 shall not be a bar to either party obtaining a divorce on this ground: Provided that no final judgment of divorce shall be rendered under this section until the court determines that there are no claims for support or alimony between the parties or that all such claims have been fully and finally adjudicated."

Sec. 2. This act shall become effective August 1, 1977, and shall not affect pending litigation.

In the General Assembly read three times and ratified, this the 29th day of June, 1977.