

NORTH CAROLINA GENERAL ASSEMBLY
1981 SESSION

CHAPTER 182
HOUSE BILL 196

AN ACT TO AMEND G.S. 50-6 TO PROVIDE THAT DIVORCE NOT AFFECT ALIMONY
RIGHTS.

The General Assembly of North Carolina enacts:

Section 1. G.S. 50-6 is rewritten to read:

"§ 50-6. Divorce after separation of one year on application of either party. — Marriages may be dissolved and the parties thereto divorced from the bonds of matrimony on the application of either party, if and when the husband and wife have lived separate and apart for one year, and the plaintiff or defendant in the suit for divorce has resided in the State for a period of six months. This section shall be in addition to other acts and not construed as repealing other laws on the subject of divorce. A divorce under this section shall not be barred to either party by any defense or plea based upon any provision of G.S. 50-5 or G.S. 50-7, a plea of res judicata, or a plea of recrimination. Notwithstanding the provisions of G.S. 50-11, or of the common law, a divorce under this section shall not affect the rights of a dependent spouse with respect to alimony which have been asserted in the action or any other pending action."

Sec. 2. This act shall be effective on October 1, 1981.

In the General Assembly read three times and ratified, this the 8th day of April, 1981.