

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2005

SESSION LAW 2005-405
HOUSE BILL 1635

AN ACT AMENDING THE LAWS PERTAINING TO DISPLACED
HOMEMAKERS AND INCREASING THE FEE WHICH FUNDS THE NORTH
CAROLINA FUND FOR DISPLACED HOMEMAKERS.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 143B-394.4 reads as rewritten:

"§ 143B-394.4. Definitions.

As used in this Part, unless the context otherwise requires:

- (1) "Center" means any multi-purpose ~~service facility for or program~~ servicing displaced homemakers established pursuant to this Part; homemakers.
- (2) "Council" means the North Carolina Council for ~~Women; Women.~~
- (3) "Department" means the Department of ~~Administration; Administration.~~
- (4) "Displaced homemaker" means an individual who:
 - a. Has worked in his or her own household ~~for at least five years and during which period~~ and has provided unpaid household services; and
 - b. Is unable to secure gainful employment due to the lack of required ~~training; training, age, or experience;~~ or is unemployed, or underemployed; and
 - c. Has been dependent on the income of another household member but is no longer adequately supported by that income, or is receiving support ~~from a spouse~~ but is within two years of losing ~~such the~~ such support, or has been supported by public assistance as the parent of minor children ~~but and~~ and is no longer eligible, or is within two years of losing ~~such~~ such eligibility. eligible."

SECTION 2. G.S. 143B-394.5 reads as rewritten:

"§ 143B-394.5. Establishment of center; location.

The Council shall establish or contract for the establishment of a pilot center for displaced homemakers. ~~In determining where to locate the center, the Council shall consider, with respect to each proposed location, the probable number of displaced homemakers in the area and the availability of resources for training and education."~~

SECTION 3. Part 10B of Article 9 of Chapter 143B of the General Statutes is amended by adding a new section to read:

"§ 143B-394.5A. Location of displaced homemaker centers; grant criteria.

(a) The Council shall consider the location of displaced homemaker centers based on the probable number of displaced homemakers in an area, the availability of resources for training and education, and viable living wage job opportunities.

(b) The Council shall make grants to displaced homemaker centers in accordance with this section and G.S. 143B-394.10. The Council shall establish criteria, including a baseline cost of basic center operations, to determine grant award categories. The grant criteria shall incorporate displaced homemaker program operational costs based on the location, program delivery capacities, and the probable number of displaced homemakers served in an area."

SECTION 4. G.S. 143B-394.10 reads as rewritten:

"§ 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~~ up to 35 centers for displaced homemakers. The Council shall make quarterly grants to ~~each~~ no more than 35 eligible program centers. Grants shall be awarded according to criteria established by the ~~Council~~ Council pursuant to G.S. 143B-394.4(4) and G.S. 143B-394.5A. No more than ten percent (10%) of these funds shall be used for administrative costs by the Council. The Council shall use no more than ten percent (10%) of these funds for administrative costs. In order to To be eligible to receive grant funds under this section, a displaced homemaker program center shall fulfill all of the criteria established by the Council and shall have been operational for at least two years. 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 5. G.S. 7A-305(a2) reads as rewritten:

"(a2) In every ~~final~~ action for absolute divorce filed in the district court, a cost of ~~twenty dollars (\$20.00)~~ fifty-five dollars (\$55.00) 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 6. Section 5 of this act becomes effective October 1, 2005, and applies to actions for absolute divorce filed on or after that date. The remainder of this act becomes effective October 1, 2005.

In the General Assembly read three times and ratified this the 23rd day of August, 2005.

s/ Beverly E. Perdue

President of the Senate

s/ James B. Black
Speaker of the House of Representatives

s/ Michael F. Easley
Governor

Approved 1:09 p.m. this 20th day of September, 2005