

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2013

H.B. 32
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HOUSE PRINCIPAL CLERK

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HOUSE DRH70018-LL-15 (11/14)

Short Title: Increase Year's Allowance. (Public)

Sponsors: Representatives Hurley and Turner (Primary Sponsors).

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO INCREASE THE AMOUNT OF THE YEAR'S ALLOWANCE FOR A
3 SURVIVING SPOUSE.

4 The General Assembly of North Carolina enacts:

5 **SECTION 1.** G.S. 30-15 reads as rewritten:

6 "**§ 30-15. When spouse entitled to allowance.**

7 Every surviving spouse of an intestate or of a testator, whether or not the surviving spouse
8 has petitioned for an elective share, shall, unless the surviving spouse has forfeited the
9 surviving spouse's right thereto, as provided by law, be entitled, out of the personal property of
10 the deceased spouse, to an allowance of the value of ~~twenty thousand dollars (\$20,000)~~thirty
11 thousand dollars (\$30,000) for the surviving spouse's support for one year after the death of the
12 deceased spouse. Such allowance shall be exempt from any lien, by judgment or execution,
13 acquired against the property of the deceased spouse, and shall, in cases of testacy, be charged
14 against the share of the surviving spouse."

15 **SECTION 2.** G.S. 30-29 reads as rewritten:

16 "**§ 30-29. What petition must show.**

17 In the petition the petitioner shall set forth, besides the facts entitling petitioner to a year's
18 support and the value of the support claimed, the further facts that the personal estate of which
19 the decedent died possessed exceeded ~~twenty thousand dollars (\$20,000)~~thirty thousand dollars
20 (\$30,000), and also whether or not an allowance has been made to petitioner and the nature and
21 value thereof."

22 **SECTION 3.** This act becomes effective January 1, 2014, and applies to estates of
23 persons dying on or after that date.

