

April 11, 2001

**H 1084. EQUITABLE DISTRIBUTION CLARIFICATION.** *TO CLARIFY THAT AN ACTION FOR EQUITABLE DISTRIBUTION DOES NOT ABATE UPON THE DEATH OF A PARTY.* As title indicates.

**Intro. by Hackney .**

Ref. to Judiciary I	GS 50
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May 9, 2001

**H 1084. EQUITABLE DISTRIBUTION CLARIFICATION.** Intro. 4/11/01. Senate committee substitute makes the following changes to 1st edition. Clarifies that only pending actions for equitable distribution shall survive the death of a party.

July 24, 2001

**H 1084. EQUITABLE DISTRIBUTION CLARIFICATION.** Intro. 4/11/01. Senate committee substitute makes the following changes to 2nd edition. Adds a new factor for court to consider in equitable distribution under GS 50-20(c). This factor lists property that would be considered in the event of the death of either party prior to the entry of any order for the distribution of property pursuant to GS 50-20(c). Amends definition in GS 30-3.2(d) of "Total Net Assets" to include deleting claims *other than an equitable distribution of property awarded to the surviving spouse pursuant to GS 50-20 subsequent to the death of the decedent* (italized words added). Revises definition of "Property Passing to Surviving Spouse" in GS 30-3.3(a) to add to it the net value of the marital estate awarded to the surviving spouse pursuant to GS 50-20 subsequent to the death of the decedent. Adds new GS 29-14(c) specifying that when an equitable distribution of property is awarded to the surviving spouse pursuant to GS 50-20 subsequent to the decedent's death, the surviving spouse's share determined under GS 29-14(a) and (b) is to be first determined as though no property had been awarded to the surviving spouse pursuant to GS 50-20 subsequent to the decedent's death. The share is then reduced by the net value of the marital estate awarded to the surviving spouse pursuant to GS 50-20 after the death of the decedent.

August 13, 2001

**SL 2001-364 (H 1084). EQUITABLE DISTRIBUTION CLARIFICATION.** *AN ACT TO CLARIFY THAT AN ACTION FOR EQUITABLE DISTRIBUTION DOES NOT ABATE UPON THE DEATH OF A PARTY.* Summarized in *Daily Bulletin* 4/11/01, 5/9/01, and 7/24/01. Enacted Aug. 10, 2001. Effective Aug. 10, 2001, and applies to actions pending or filed on or after that date.