

February 10, 2009

H 115. JOINT DV COMMITTEE/RECOMMENDATIONS. Filed 2/10/09. *TO RENAME THE NORTH CAROLINA COUNCIL FOR WOMEN/DOMESTIC VIOLENCE COMMISSION AND CLARIFY ITS ROLE AND RESPONSIBILITIES, TO EXPAND THE ROLE OF THE NORTH CAROLINA COUNCIL FOR WOMEN AND DESIGNATE THE QUALIFICATIONS FOR MEMBERSHIP, TO REVISE THE MEMBERSHIP AND STAFFING OF THE NORTH CAROLINA DOMESTIC VIOLENCE COMMISSION, TO AMEND THE PROCEDURE FOR OBTAINING A DOMESTIC VIOLENCE PROTECTIVE ORDER, TO SUPPORT A STATEWIDE DOMESTIC VIOLENCE PROTECTIVE ORDER NOTIFICATION SYSTEM AND INVESTIGATE THE COSTS, AND TO STUDY STATE OVERSIGHT AND COORDINATION OF SERVICES FOR VICTIMS OF SEXUAL VIOLENCE, AS RECOMMENDED BY THE JOINT LEGISLATIVE COMMITTEE ON DOMESTIC VIOLENCE.*

Renames the current *North Carolina Council for Women/Domestic Violence Commission* as the *North Carolina Center for Women, Families, and Domestic Violence*. Directs that the successor agency is to have the responsibility of providing staff and administrative support to the North Carolina Council For Women (Council) and to the North Carolina Domestic Violence Commission. Provides that all the responsibilities and duties given by any provision of law relating to the administration of grants, funds, or fees to the current agency are to be administered by the renamed agency.

Amends GS 143B-393 to expand the functions and duties of the Council to include the following issues: employment, education, health, pay equity, domestic violence, sexual violence, housing, and child care. Amends GS 143B-394 to provide specific criteria for the composition of the Council membership (was, Council must be representative of age, sex, ethnic and geographic backgrounds).

Provides criteria for the length of terms and the expiration of terms of membership on the Council.

Amends GS 143B-394.15 to delete requirement that the Secretary of the Department of Administration assign an employee to serve as a Deputy Director with the Council. Makes additional technical changes.

Amends GS 50B-2(a) to provide that any action for a domestic violence protective order requires that a separate summons be issued and served. Directs the defendant to answer within 10 days of the date of service of the summons. Directs that attachments to the summons are to include (1) the complaint, (2) notice of hearing, (3) any temporary or ex parte order that has been issued, and (4) other papers through the appropriate law enforcement agency where the defendant is to be served. Effective for action or motions filed on or after December 1, 2009.

Provides that the Joint Legislative Committee on Domestic Violence (Committee) supports the adoption of an automated statewide domestic violence protective order notification system. Directs the Administrative Office of the Courts, in consultation with the Governor's Crime Commission and the NC Attorney General's Office to determine the financial and operational impact of developing the system and identify relevant information in available data bases. Directs the Governor's Crime Commission to report the findings to the Committee and the Fiscal Research Division by July 1, 2009.

Directs the NC Domestic Violence Commission, in consultation with the NC Coalition Against Domestic Violence and the NC Coalition Against Sexual Assault, to study the issue of state oversight and coordination of services to victims of sexual violence and report its findings and recommendations to the Committee by July 1, 2009.

Intro. by McLawhorn, Ross, Farmer-Butterfield, Johnson.

Uncodified, GS 143B, 50B

March 25, 2009

H 115. JOINT DV COMMITTEE/RECOMMENDATIONS. Filed 2/10/09. House committee substitute makes the following changes to 1st edition. Makes technical changes only.

April 16, 2009

H 115. JOINT DV COMMITTEE/ RECOMMENDATIONS. Filed 2/10/09. House committee substitute makes the following changes to 2nd edition.

Amends GS 50B-2(a) to clarify that a single summons needs to be issued and served in any action for a domestic violence protective order. Also, effective for actions or motions filed on or after December 1, 2009, amends GS 50C-3(a) to clarify that a single summons needs to be issued and served in any action for a civil no-contact order. Makes a conforming change to the title and makes organizational changes.

July 1, 2009

H 115. JOINT DV COMMITTEE/RECOMMENDATIONS. Filed 2/10/09. Senate committee substitute makes the following changes to 3rd edition. Changes title to *AN ACT TO REVISE THE MEMBERSHIP AND STAFFING OF THE NORTH CAROLINA DOMESTIC VIOLENCE COMMISSION, TO AMEND THE PROCEDURE FOR OBTAINING A DOMESTIC VIOLENCE PROTECTIVE ORDER OR CIVIL NO-CONTACT ORDER, TO CLARIFY THE ENFORCEMENT AND APPLICATION OF A PENALTY ENHANCEMENT IF A DEFENDANT COMMITS AN OFFENSE WHILE UNDER A DOMESTIC VIOLENCE PROTECTIVE ORDER, TO SUPPORT A STATEWIDE DOMESTIC VIOLENCE PROTECTIVE ORDER NOTIFICATION SYSTEM AND INVESTIGATE THE COSTS, AND TO STUDY STATE OVERSIGHT AND COORDINATION OF SERVICES FOR VICTIMS OF SEXUAL VIOLENCE, AS RECOMMENDED BY THE JOINT LEGISLATIVE COMMITTEE ON DOMESTIC VIOLENCE*. Amends GS 143B-394.15(b) to (1) remove from the NC Domestic Violence Commission's (Commission) purpose coordination and collaboration with the North Carolina Council for Women regarding strengthening existing domestic violence programs (but retains the strengthening of such programs as a Commission purpose) and (2) state as a purpose the recommendation of (was, the establishment of) new domestic violence programs. Enacts new GS 50B-4(f) providing that the term *valid protective order* includes "an emergency or ex parte order entered under this Chapter." Enacts new GS 50B-4.1(h) providing that for the purposes of this section, the term *valid protective order* includes "an emergency or ex parte order entered under this Chapter." Requires that the Administrative Office of the Courts jointly report with the Governor's Crime Commission findings related to the adoption of an automated statewide domestic violence protective order notification system by February 1, 2010 (was July 1, 2009). Requires that Commission report findings and recommendations regarding state oversight and coordination of services to victims of sexual violence and whether sexual violence should be include as a focus area of the Commission by February 1, 2010 (was, July 1, 2009). Deletes from 3rd edition amendments to GS 143B-393 and GS 143B-394 and provisions amending the name of and membership terms for the North Carolina Council for Women.

July 27, 2009

SL 2009-342 (H 115). JOINT DOMESTIC VIOLENCE COMMITTEE/RECOMMENDATIONS. *AN ACT TO REVISE THE MEMBERSHIP AND STAFFING OF THE NORTH CAROLINA DOMESTIC VIOLENCE COMMISSION, TO AMEND THE PROCEDURE FOR OBTAINING A DOMESTIC VIOLENCE PROTECTIVE ORDER OR CIVIL NO-CONTACT ORDER, TO CLARIFY THE ENFORCEMENT AND APPLICATION OF A PENALTY ENHANCEMENT IF A DEFENDANT COMMITS AN OFFENSE WHILE UNDER A DOMESTIC VIOLENCE PROTECTIVE ORDER, TO SUPPORT A STATEWIDE DOMESTIC VIOLENCE PROTECTIVE ORDER NOTIFICATION SYSTEM AND INVESTIGATE THE COSTS, AND TO STUDY STATE OVERSIGHT AND COORDINATION OF SERVICES FOR VICTIMS OF SEXUAL VIOLENCE, AS RECOMMENDED BY THE JOINT LEGISLATIVE COMMITTEE ON DOMESTIC VIOLENCE*. Summarized in *Daily Bulletin* 2/10/09, 3/25/09, 4/16/09, and 7/1/09. Enacted July 24, 2009. Sections 2 and 3 are effective for actions or motions filed on or after December 1, 2009. The remainder is effective July 24, 2009.