

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009

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SENATE BILL 1062*
PROPOSED COMMITTEE SUBSTITUTE S1062-PCS35305-SB-20

Short Title: Strengthen Dom. Vio. Protective Orders/Pets.

(Public)

Sponsors:

Referred to:

March 31, 2009

1 A BILL TO BE ENTITLED
2 AN ACT STRENGTHENING DOMESTIC VIOLENCE PROTECTIVE ORDERS TO
3 PROVIDE FOR THE PROTECTION OF PETS.

4 The General Assembly of North Carolina enacts:

5 **SECTION 1.** G.S. 50B-3(a) reads as rewritten:

6 "(a) If the court, including magistrates as authorized under G.S. 50B-2(c1), finds that an
7 act of domestic violence has occurred, the court shall grant a protective order restraining the
8 defendant from further acts of domestic violence. A protective order may include any of the
9 following types of relief:

- 10 (1) Direct a party to refrain from such acts.
11 (2) Grant to a party possession of the residence or household of the parties and
12 exclude the other party from the residence or household.
13 (3) Require a party to provide a spouse and his or her children suitable alternate
14 housing.
15 (4) Award temporary custody of minor children and establish temporary
16 visitation rights pursuant to G.S. 50B-2 if the order is granted ex parte, and
17 pursuant to subsection (a1) of this section if the order is granted after notice
18 or service of process.
19 (5) Order the eviction of a party from the residence or household and assistance
20 to the victim in returning to it.
21 (6) Order either party to make payments for the support of a minor child as
22 required by law.
23 (7) Order either party to make payments for the support of a spouse as required
24 by law.
25 (8) Provide for possession of personal property of the parties.
26 (9) Order a party to refrain from doing any or all of the following:
27 a. Threatening, abusing, or following the other party.
28 b. Harassing the other party, including by telephone, visiting the home
29 or workplace, or other means.
30 c. Otherwise interfering with the other party.
31 (10) Award attorney's fees to either party.
32 (11) Prohibit a party from purchasing a firearm for a time fixed in the order.



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- 1 (12) Order any party the court finds is responsible for acts of domestic violence
2 to attend and complete an abuser treatment program if the program is
3 approved by the Domestic Violence Commission.
4 (12a) Provide for the care, custody, and control of any animal owned, possessed,
5 kept, or held as a pet by either party or minor child residing in the
6 household.
7 (12b) Direct a party to refrain from the cruel treatment or abuse of an animal
8 owned, possessed, kept, or held as a pet by either party or minor child
9 residing in the household.
10 (13) Include any additional prohibitions or requirements the court deems
11 necessary to protect any party or any minor child."
12 **SECTION 2.** This act is effective when it becomes law.