

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2015

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SENATE BILL 519  
Judiciary II Committee Substitute Adopted 4/28/15  
PROPOSED HOUSE COMMITTEE SUBSTITUTE S519-PCS45409-TJ-47

Short Title: Amend Child Custody Laws.

(Public)

Sponsors:

Referred to:

March 30, 2015

1 A BILL TO BE ENTITLED  
2 AN ACT TO PROMOTE THE ENCOURAGEMENT OF PARENTING TIME WITH  
3 CHILDREN BY BOTH PARENTS.

4 The General Assembly of North Carolina enacts:

5 **SECTION 1.** Article 1 of Chapter 50 of the General Statutes is amended by adding  
6 a new section to read:

7 "**§ 50-13.01. Purposes.**

8 It is the policy of the State of North Carolina to:

- 9 (1) Encourage focused, good faith, and child-centered parenting agreements to  
10 reduce needless litigation over child custody matters and to promote the best  
11 interest of the child.  
12 (2) Encourage parents to take responsibility for their child by setting the  
13 expectation that parenthood will be a significant and ongoing responsibility.  
14 (3) Encourage programs and court practices that reflect the active and ongoing  
15 participation of both parents in the child's life and contact with both parents  
16 when such is in the child's best interest, regardless of the parents' present  
17 marital status, subject to laws regarding abuse, neglect, and dependency.  
18 (4) Encourage both parents to share equitably in the rights and responsibilities  
19 of raising their child, even after dissolution of marriage or unwed  
20 relationship.  
21 (5) Encourage each parent to establish and maintain a healthy relationship with  
22 the other parent when such is determined to be in the best interest of the  
23 child, taking into account mental illness, substance abuse, domestic violence,  
24 or any other factor the court deems appropriate."

25 **SECTION 2.** G.S. 50-13.2(a) reads as rewritten:

26 "**§ 50-13.2. Who entitled to custody; terms of custody; visitation rights of grandparents;**  
27 **taking child out of State; consideration of parent's military service.**

28 (a) An order for custody of a minor child entered pursuant to this section shall award  
29 the custody of such child to such person, agency, organization or institution as will best  
30 promote the interest and welfare of the child. In making the determination, the court shall  
31 consider all relevant factors including acts of domestic violence between the parties, the safety  
32 of the child, and the safety of either party from domestic violence by the other party and shall  
33 ~~make findings accordingly.~~ party. An order for custody must include written findings of fact  
34 ~~which that~~ reflect the consideration of each of these factors and that support the determination  
35 of what is in the best interest of the child. Between the mother and father, the parents, whether



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1 natural or adoptive, no presumption shall apply as to who will better promote the interest and  
2 welfare of the child. Joint custody to the parents shall be considered upon the request of either  
3 parent."

4 **SECTION 3.** This act is effective when it becomes law.