

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2025

H.B. 1070
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HOUSE PRINCIPAL CLERK

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HOUSE BILL DRH10597-NJa-58

Short Title: Domestic Violence Divorce Reform Act.

(Public)

Sponsors: Representative Buansi.

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO AMEND SEPARATION LAWS FOR ABSOLUTE DIVORCE.
3 The General Assembly of North Carolina enacts:

4 SECTION 1. G.S. 50-6 reads as rewritten:

5 "§ 50-6. Divorce after separation of one year on application of either party.

6 (a) Marriages may be dissolved and the parties thereto divorced from the bonds of
7 matrimony on the application of either party, if and when the husband and wife have lived
8 separate and apart for one year, and the plaintiff or defendant in the suit for divorce has resided
9 in the State for a period of six months. A divorce under this section shall not be barred to either
10 party by any defense or plea based upon any provision of G.S. 50-7, a plea of res judicata, or a
11 plea of recrimination. Notwithstanding the provisions of G.S. 50-11, or of the common law, a
12 divorce under this section shall not affect the rights of a dependent spouse with respect to alimony
13 which have been asserted in the action or any other pending action.

14 (b) If a person in the marriage is a victim of domestic violence, as defined under
15 G.S. 50B-1, and the person's spouse by marriage is responsible for committing that act of
16 domestic violence, the person who is the victim of domestic violence may seek a divorce without
17 having to meet the one-year period of separation. In making application for divorce pursuant to
18 this subsection, the applicant shall have divorce granted by satisfying one of the following:

19 (1) Entering of a Domestic Violence Protection order with findings, against the
20 person's spouse by marriage who is responsible for committing that act of
21 domestic violence.

22 (2) Entering of a conviction for a domestic violence-related offense of the person's
23 spouse by marriage who is responsible for committing that act of domestic
24 violence.

25 (3) By order of a judge following an evidentiary hearing that includes
26 consideration of factors, including, but not limited to, the following:

27 a. Law enforcement, court, or other federal or State agency records or
28 files.

29 b. Documentation from a domestic violence program, if the applicant is
30 alleged to be the victim of domestic violence.

31 c. Documentation from a medical or other professional from whom the
32 applicant has sought assistance in dealing with the alleged domestic
33 violence.

34 (c) Whether there has been a resumption of marital relations during the period of
35 separation shall be determined pursuant to G.S. 52-10.2. Isolated incidents of sexual intercourse



1 between the parties shall not toll the statutory period required for divorce predicated on separation
2 of one year."

3 **SECTION 2.** This act does not affect cases pending when this act becomes law.

4 **SECTION 3.** There is appropriated from the General Fund to the Office of State
5 Budget and Management the sum of fifty thousand dollars (\$50,000) in nonrecurring funds for
6 the 2026-2027 fiscal year to provide a directed grant to The Women's Center, Inc., a nonprofit
7 organization doing business as Compass Center, to be used to support victims of domestic
8 violence.

9 **SECTION 4.** Except as otherwise provided, this act is effective when it becomes law
10 and applies to actions commenced on or after that date.