## GENERAL ASSEMBLY OF NORTH CAROLINA SESSION 2001

H HOUSE BILL 1534

Short Tit	le: D	Domestic Violence Comm. Rulemaking.				
Sponsors		Representatives Sherrill; Walend, Bowie, M. Crawford, Johnson, and Thompson.				
Referred	to: S	tate Government.				
June 5, 2002						
A BILL TO BE ENTITLED  AN ACT TO IMPLEMENT A RECOMMENDATION OF THE JOINT LEGISLATIVE ADMINISTRATIVE PROCEDURE OVERSIGHT COMMITTEE TO GRANT THE DOMESTIC VIOLENCE COMMISSION AUTHORITY TO ADOPT RULES TO APPROVE ABUSER TREATMENT PROGRAMS.  The General Assembly of North Carolina enacts:  SECTION 1. G.S. 143B-394.16(a) reads as rewritten:  "(a) Powers and Duties. – The Commission shall have the following powers and						
duties:	(1)	As recommended in the January 15, 1999, final report Governor's Task Force on Domestic Violence, to devel recommend to the General Assembly the "Safe Families Act promote adequate funding to promote victim safety and account of perpetrators.	op and 'and to			
	(2)	To develop and recommend domestic violence training initiat law enforcement and judicial personnel and for all perso provide treatment and services to domestic violence victims.				
	(3)	To develop training initiatives for and make recommendation provide information and advice to State agencies in the areas protection, education, employer/employee relations, criminal and subsidized housing.	of child			
	(4)	To provide information and advice to any private entities that assistance in providing services and support to domestic victims.	-			
	(5)	To design, coordinate, and oversee a statewide public aw campaign.	vareness			
	(6)	To design and coordinate improved data collection efforts for diviolence crimes and acts in the State.	lomestic			

1 (7) To research, develop, and recommend proposals of how best to meet the needs of domestic violence victims and to prevent domestic violence in the State.  4 (8) To adopt rules in accordance with Article 2A of Chapter 150B of the General Statutes for the approval of abuser treatment programs as provided in G.S. 50B-3(a) (12)."  5 SECTION 2. G.S. 50B-3(a) reads as rewritten:  7 (a) The court, including magistrates as authorized under G.S. 50B-2(c1), may grant any protective order or approve any consent agreement to bring about a cessation of acts of domestic violence. The orders or agreements may:  (1) Direct a party to refrain from such acts;  (2) Grant to a party possession of the residence or household of the parties and exclude the other party from the residence or household;  (3) Require a party to provide a spouse and his or her children suitable alternate housing;  (4) Award temporary custody of minor children and establish temporary visitation rights;  (5) Order the eviction of a party from the residence or household and assistance to the victim in returning to it;  (6) Order either party to make payments for the support of a minor child as required by law;  (7) Order either party to make payments for the support of a spouse as required by law;  (8) Provide for possession of personal property of the parties;  (9) Order a party to refrain from doing any or all of the following:  a. Threatening, abusing, or following the other party,  b. Harassing the other party, including by telephone, visiting the home or workplace, or other means, or  c. Otherwise interfering with the other party;  (10) Award costs and attorney's fees to either party;  (11) Prohibit a party from purchasing a firearm for a time fixed in the order; violence to attend and complete an abuser treatment program if the program is approved by the Department of Administration; Domestic Violence Commission; and  (13) Include any additional prohibitions or requirements the court deems necessary to protect any party or any minor child."  SECTIO				
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