

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2005

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HOUSE BILL 1635
Committee Substitute Favorable 6/14/05

Short Title: Amend Displaced Homemaker Laws/Up Fund Fees. (Public)

Sponsors:

Referred to:

May 11, 2005

1 A BILL TO BE ENTITLED
2 AN ACT AMENDING THE LAWS PERTAINING TO DISPLACED
3 HOMEMAKERS AND INCREASING THE FEE WHICH FUNDS THE NORTH
4 CAROLINA FUND FOR DISPLACED HOMEMAKERS.

5 The General Assembly of North Carolina enacts:

6 SECTION 1. G.S. 143B-394.4 reads as rewritten:

7 "§ 143B-394.4. Definitions.

8 As used in this Part, unless the context otherwise requires:

9 (1) "Center" means any multi-purpose ~~service facility for~~ program
10 servicing displaced homemakers ~~established pursuant to this~~
11 ~~Part;~~ homemakers.

12 (2) "Council" means the North Carolina Council for ~~Women;~~ Women.

13 (3) "Department" means the Department of
14 ~~Administration;~~ Administration.

15 (4) "Displaced homemaker" means an individual who:

16 a. Has worked in his or her own household ~~for at least five years~~
17 ~~and during which period~~ and has provided unpaid household
18 services; and

19 b. Is unable to secure gainful employment due to the lack of
20 required ~~training~~ training, age, or experience; or is unemployed,
21 or underemployed; and

22 c. Has been dependent on the income of another household
23 member but is no longer adequately supported by that income,
24 or is receiving support ~~from a spouse~~ but is within two years of
25 losing ~~such~~ the support, or has been supported by public
26 assistance as the parent of minor children ~~but and is no longer~~
27 ~~eligible, or is within two years of losing such~~
28 ~~eligibility.~~ eligible."

29 SECTION 2. G.S. 143B-394.5 reads as rewritten:

1 **"§ 143B-394.5. Establishment of center; location.**

2 The Council shall establish or contract for the establishment of a pilot center for
3 displaced homemakers. ~~In determining where to locate the center, the Council shall~~
4 ~~consider, with respect to each proposed location, the probable number of displaced~~
5 ~~homemakers in the area and the availability of resources for training and education."~~

6 **SECTION 3.** Part 10B of Article 9 of Chapter 143B of the General Statutes
7 is amended by adding a new section to read:

8 **"§ 143B-394.5A. Location of displaced homemaker centers; grant criteria.**

9 (a) The Council shall consider the location of displaced homemaker centers
10 based on the probable number of displaced homemakers in an area, the availability of
11 resources for training and education, and viable living wage job opportunities.

12 (b) The Council shall make grants to displaced homemaker centers in accordance
13 with this section and G.S. 143B-394.10. The Council shall establish criteria, including a
14 baseline cost of basic center operations, to determine grant award categories. The grant
15 criteria shall incorporate displaced homemaker program operational costs based on the
16 location, program delivery capacities, and the probable number of displaced
17 homemakers served in an area."

18 **SECTION 4.** G.S. 143B-394.10 reads as rewritten:

19 **"§ 143B-394.10. North Carolina Fund for Displaced Homemakers.**

20 (a) There is established in the Department of Administration the North Carolina
21 Fund for Displaced Homemakers. The Fund shall be administered by the North Carolina
22 Council for Women in accordance with Article 1 of Chapter 143 of the General Statutes
23 and shall be used to make grants to ~~programs~~up to 35 centers for displaced
24 homemakers. The Council shall make quarterly grants to ~~each~~no more than 35 eligible
25 ~~program~~centers. Grants shall be awarded according to criteria established by the
26 ~~Council~~Council pursuant to G.S. 143B-394.4(4) and G.S. 143B-394.5A. No more than
27 ~~ten percent (10%) of these funds shall be used for administrative costs by the~~
28 ~~Council~~The Council shall use no more than ten percent (10%) of these funds for
29 administrative costs. In order toTo be eligible to receive grant funds under this section,
30 a displaced homemaker programcenter shall fulfill all of the criteria established by the
31 ~~Council~~Council and shall have been operational for at least two years. The Council
32 shall report annually to the Joint Legislative Commission on Governmental Operations
33 on the revenues credited to the Fund, the programs receiving grants from the Fund, the
34 success of those programs, and the costs associated with administering the Fund.

35 (b) The Department, upon recommendations by the Council, shall adopt rules to
36 implement the North Carolina Fund for Displaced Homemakers."

37 **SECTION 5.** G.S. 7A-305(a2) reads as rewritten:

38 "(a2) In every ~~final~~ action for absolute divorce filed in the district court, a cost of
39 ~~twenty dollars (\$20.00)~~fifty-five dollars (\$55.00) shall be assessed against the person
40 filing the divorce action. Costs collected by the clerk pursuant to this subsection shall be
41 remitted to the State Treasurer for deposit to the North Carolina Fund for Displaced
42 Homemakers established under G.S. 143B-394.10. Costs assessed under this subsection
43 shall be in addition to any other costs assessed under this section."

1 **SECTION 6.** Section 5 of this act becomes effective October 1, 2005, and
2 applies to actions for absolute divorce filed on or after that date. The remainder of this
3 act becomes effective October 1, 2005.