

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2013

H

1

HOUSE BILL 32

Short Title: Increase Year's Allowance. (Public)

Sponsors: Representatives Hurley and Turner (Primary Sponsors).

*For a complete list of Sponsors, refer to the North Carolina General Assembly Web Site.*

Referred to: Judiciary Subcommittee B.

February 4, 2013

A BILL TO BE ENTITLED

AN ACT TO INCREASE THE AMOUNT OF THE YEAR'S ALLOWANCE FOR A  
SURVIVING SPOUSE.

The General Assembly of North Carolina enacts:

**SECTION 1.** G.S. 30-15 reads as rewritten:

"§ 30-15. **When spouse entitled to allowance.**

Every surviving spouse of an intestate or of a testator, whether or not the surviving spouse has petitioned for an elective share, shall, unless the surviving spouse has forfeited the surviving spouse's right thereto, as provided by law, be entitled, out of the personal property of the deceased spouse, to an allowance of the value of ~~twenty thousand dollars (\$20,000)~~ thirty thousand dollars (\$30,000) for the surviving spouse's support for one year after the death of the deceased spouse. Such allowance shall be exempt from any lien, by judgment or execution, acquired against the property of the deceased spouse, and shall, in cases of testacy, be charged against the share of the surviving spouse."

**SECTION 2.** G.S. 30-29 reads as rewritten:

"§ 30-29. **What petition must show.**

In the petition the petitioner shall set forth, besides the facts entitling petitioner to a year's support and the value of the support claimed, the further facts that the personal estate of which the decedent died possessed exceeded ~~twenty thousand dollars (\$20,000)~~ thirty thousand dollars (\$30,000), and also whether or not an allowance has been made to petitioner and the nature and value thereof."

**SECTION 3.** This act becomes effective January 1, 2014, and applies to estates of persons dying on or after that date.

