GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 2013

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HOUSE DRH30313-LU-50A (02/09)

H.B. 590
Apr 4, 2013
HOUSE PRINCIPAL CLERK

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Short Title:	Rebuttable Presumption/Shared Parenting.	(Public)
Sponsors:	Representatives Schaffer, R. Brown, and McElraft (Primary Sponsors).	
Referred to:		

1   A BILL TO BE ENTITLED
2   AN ACT TO AMEND THE LAWS PERTAINING TO CHILD CUSTODY TO PROVIDE
3   FOR A REBUTTABLE PRESUMPTION OF SHARED PARENTING.
4   The General Assembly of North Carolina enacts:
5   **SECTION 1.** G.S. 50-13.2(a) reads as rewritten:
6   "**§ 50-13.2. Who entitled to custody; presumption of shared parenting; terms of custody;**
7   **visitation rights of grandparents; taking child out of State.**
8   (a)   An order for custody of a minor child entered pursuant to this section shall award
9   the custody of such child to such person, agency, organization or institution as will best
10 promote the interest and welfare of the child. In making the determination, the court shall
11 consider all relevant factors including acts of domestic violence between the parties, the safety
12 of the child, and the safety of either party from domestic violence by the other party and shall
13 make findings accordingly. An order for custody must include findings of fact which support
14 the determination of what is in the best interest of the child. Between the mother and father,
15 whether natural or adoptive, no presumption shall apply as to who will better promote the
16 interest and welfare of the child. However, there is a presumption that shared parenting is in the
17 best interest of the child. The presumption may be rebutted by the greater weight of the
18 evidence. For purposes of this section, "shared parenting" means each parent sharing as close as
19 possible to an equal amount of time with the child. Joint custody to the parents shall be
20 considered upon the request of either parent."
21   **SECTION 2.**   This act is effective when it becomes law and applies to cases
22 pending or filed on or after that date.