

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1991

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HOUSE BILL 398

Short Title: Marital Assets/Equit. Dist.

(Public)

Sponsors: Representatives Hackney; Abernethy, Mercer, and Wood.

Referred to: Judiciary III.

March 28, 1991

A BILL TO BE ENTITLED

AN ACT TO AUTHORIZE JUDGES TO MAKE INTERIM ALLOCATIONS OF
ASSETS PENDING A FINAL EQUITABLE DISTRIBUTION JUDGMENT.

The General Assembly of North Carolina enacts:

Section 1. G.S. 50-20 is amended by adding the following new subsection to
read:

"(i1) After an action for equitable distribution has been filed the Court may, for just cause, order the spouse in control of marital assets to transfer the use and possession of some or all of those assets to the other spouse provided that any and all assets so transferred shall be subject to a full accounting when the property is ultimately allocated in an equitable distribution judgment. Any property transfer made pursuant to this subsection shall be made without prejudice to the rights of either spouse to claim a contrary classification, value, or distribution in the final equitable distribution trial."

Sec. 2. This act becomes effective October 1, 1991, and applies to actions for equitable distribution pending or filed on or after that date.