

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2005

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HOUSE BILL 923  
Committee Substitute Favorable 4/26/05

Short Title: Amend Postseparation Support Laws.

(Public)

Sponsors:

Referred to:

March 28, 2005

A BILL TO BE ENTITLED

AN ACT AMENDING THE LAWS REGULATING POSTSEPARATION SUPPORT.

The General Assembly of North Carolina enacts:

**SECTION 1.** G.S. 50-16.1A(4) reads as rewritten:

"As used in this Chapter, unless the context clearly requires otherwise, the following definitions apply:

...

(4) "Postseparation support" means spousal support to be paid until the earlier of ~~either the date specified in the order of postseparation support, or an order awarding or denying alimony.~~ any of the following:

- a. The date specified in the order for postseparation support.
- b. The entry of an order awarding or denying alimony.
- c. The dismissal of the alimony claim.
- d. The entry of a judgment of absolute divorce if no claim of alimony is pending at the time of entry of the judgment of absolute divorce.
- e. Termination of postseparation support as provided in G.S. 50-16.9(b).

Postseparation support may be ordered in an action for divorce, whether absolute or from bed and board, for annulment, or for alimony without divorce. However, if postseparation support is ordered at the time of the entry of a judgment of absolute divorce, a claim for alimony must be pending at the time of the entry of the judgment of divorce."

**SECTION 2.** This act becomes effective October 1, 2005, and applies to all postseparation support orders issued on or after that date.