

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2007

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HOUSE BILL 866
Committee Substitute Favorable 4/10/07
Third Edition Engrossed 4/16/07

Short Title: Expand Reach of Courts/Term. Parental Rights.

(Public)

Sponsors:

Referred to:

March 19, 2007

A BILL TO BE ENTITLED

AN ACT TO EXPAND THE REACH OF NORTH CAROLINA COURTS IN
PROCEEDINGS TO TERMINATE THE PARENTAL RIGHTS OF
NONRESIDENT PARENTS OF RESIDENT CHILDREN.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 7B-1101 reads as rewritten:

"§ 7B-1101. Jurisdiction.

The court shall have exclusive original jurisdiction to hear and determine any petition or motion relating to termination of parental rights to any juvenile who resides in, is found in, or is in the legal or actual custody of a county department of social services or licensed child-placing agency in the district at the time of filing of the petition or motion. The court shall have jurisdiction to terminate the parental rights of any parent irrespective of the age of the parent. Provided, that before exercising jurisdiction under this Article, the court shall find that it has jurisdiction to make a child-custody determination under the provisions of G.S. 50A-201, 50A-203, or 50A-204. The court shall have jurisdiction to terminate the parental rights of any parent irrespective of the state of residence of the parent. Provided, that before exercising jurisdiction under this Article regarding the parental rights of a nonresident parent, the court shall find that it has jurisdiction to make a child-custody determination under the provisions of G.S. 50A-201 or G.S. 50A-203, without regard to G.S. 50A-204 and that process was served on the nonresident parent pursuant to G.S. 7B-1106. Provided, further, that the clerk of superior court shall have jurisdiction for adoptions under Chapter 48 of the General Statutes."

SECTION 2. This act becomes effective October 1, 2007, and applies to motions in the cause or petitions filed on or after that date.