

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2021**

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SENATE BILL 836

Short Title: Jordan's Law.

(Public)

Sponsors: Senators Craven, Britt, and Lee (Primary Sponsors).

Referred to: Rules and Operations of the Senate

May 27, 2022

A BILL TO BE ENTITLED

1 AN ACT TO ALLOW JUDGES TO TEMPORARILY RENEW A DOMESTIC VIOLENCE
2 PROTECTIVE ORDER UPON THE TIMELY FILING OF A MOTION TO RENEW A
3 DOMESTIC VIOLENCE PROTECTIVE ORDER.
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5 The General Assembly of North Carolina enacts:

6 **SECTION 1.** G.S. 50B-3(b) reads as rewritten:

7 "(b) Protective orders entered pursuant to this Chapter shall be for a fixed period of time
8 not to exceed one year. The court may renew a protective order for a fixed period of time not to
9 exceed two years, including an order that previously has been renewed, upon a motion by the
10 aggrieved party filed before the expiration of the current order; provided, however, that a
11 temporary award of custody entered as part of a protective order may not be renewed to extend
12 a temporary award of custody beyond the maximum one-year period. The court may renew a
13 protective order for good cause. If the hearing for a motion to renew a protective order is set on
14 a date after which the current order will have expired, the court may temporarily renew the current
15 order for a fixed period of time not to extend beyond the date of the renewal hearing or 30 days
16 from the date the current order is set to expire, whichever occurs first, absent the express consent
17 of both parties. This temporary renewal may not extend a temporary award of custody entered as
18 part of a protective order beyond the maximum one-year period. The commission of an act as
19 defined in G.S. 50B-1(a) by the defendant after entry of the current order is not required for an
20 order to be renewed.

21 Protective orders entered, including consent orders, shall not be mutual in nature except
22 where both parties file a claim and the court makes detailed findings of fact indicating that both
23 parties acted as aggressors, that neither party acted primarily in self-defense, and that the right of
24 each party to due process is preserved.

25 Protective orders entered pursuant to this Chapter expire at 11:59 P.M. on the indicated
26 expiration date, unless specifically stated otherwise in the order."

27 **SECTION 2.** There is appropriated from the General Fund to the Administrative
28 Office of the Courts the sum of twenty-five thousand dollars (\$25,000) in nonrecurring funds for
29 the 2022-2023 fiscal year to be used to create digital or printed educational materials regarding
30 the statutory changes made in Section 1 of this act that shall be made available to domestic
31 violence court staff and nongovernmental stakeholders serving persons affected by domestic
32 violence.

33 **SECTION 3.** This act becomes effective December 1, 2022, and applies to pending
34 motions to renew filed before, on, or after that date.

