

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2005

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HOUSE BILL 2089*

Short Title: Recommendations/Joint Committee on DV/Funds. (Public)

Sponsors: Representatives McLawhorn; Adams, Bordsen, Coates, Coleman, Culp, Fisher, Harrison, Howard, Insko, Jeffus, Justice, Justus, Luebke, Martin, Preston, Ray, Sherrill, Stiller, Wainwright, Warren, and Weiss.

Referred to: Appropriations.

May 18, 2006

A BILL TO BE ENTITLED

1 AN ACT TO APPROPRIATE FUNDS FOR VARIOUS PURPOSES PURSUANT TO
2 RECOMMENDATIONS FROM THE JOINT LEGISLATIVE COMMITTEE ON
3 DOMESTIC VIOLENCE, TO MANDATE THAT ALL EDUCATORS IN THE
4 NORTH CAROLINA PUBLIC SCHOOL SYSTEM AND ALL STUDENTS,
5 FACULTY, AND STAFF IN THE UNIVERSITY OF NORTH CAROLINA
6 SYSTEM OR THE NORTH CAROLINA COMMUNITY COLLEGE SYSTEM
7 RECEIVE DOMESTIC VIOLENCE TRAINING, AND TO STRENGTHEN THE
8 LAWS RELATED TO VIOLATIONS OF DOMESTIC VIOLENCE PROTECTIVE
9 ORDERS.
10

11 The General Assembly of North Carolina enacts:

12 **FUNDS FOR FAMILY COURTS**

13 **SECTION 1.** There is appropriated from the General Fund to the Judicial
14 Department the sum of seven hundred eighteen thousand one hundred twelve dollars
15 (\$718,112) for the 2006-2007 fiscal year for the purpose of continuing and expanding
16 the family court pilot program established in Section 25 of S.L. 1998-202. Of these
17 funds, one hundred seventy-five thousand dollars (\$175,000) shall be used to continue
18 operating the family court program established in District Court District 10 and five
19 hundred forty-three thousand one hundred twelve dollars (\$543,112) shall be used to
20 establish family courts in two additional district court districts to be selected by the
21 Administrative Office of the Courts.

22 **FUNDS FOR DOMESTIC VIOLENCE SHELTERS**

23 **SECTION 2.(a)** There is appropriated from the General Fund to the
24 Department of Administration the sum of two million dollars (\$2,000,000) for the
25 2006-2007 fiscal year to be allocated to the North Carolina Council for Women and the
26 Domestic Violence Commission to provide for matching grant funds. The Council shall
27 make grants as follows:

1 (1) For the construction of new shelters for victims of domestic violence.
2 For purposes of this subdivision, "new construction" shall include
3 additions to existing shelters if the additional construction increases
4 the residential space for victims of domestic violence.

5 (2) For the purchase of existing space for use as a domestic violence
6 shelter.

7 (3) To assist in the payment of construction debt for existing domestic
8 violence shelters.

9 **SECTION 2.(b)** In determining grant awards, the Council shall establish
10 grant criteria to include the following:

11 (1) The availability of shelter facilities in the county where the shelter
12 would be located or is currently located.

13 (2) The number of persons currently served or the approximate number of
14 persons to be served by the facility.

15 (3) The requirements under G.S. 50B-9(2) and (3) for the receipt of
16 funding.

17 **SECTION 2.(c)** Funds provided for under this section shall be matched
18 one-for-one by the applicant. The Council shall not provide more than fifty thousand
19 dollars (\$50,000) in a fiscal year to any applicant.

20 **SECTION 2.(d)** The Council shall distribute grants semiannually. The
21 Council must receive applications for grants by September 30 of each year for grant
22 awards to be distributed on or after November 1, and no later than March 31 of each
23 year for grant awards to be distributed on or after May 1.

24 **SECTION 2.(e)** Funds appropriated in this section shall not revert to the
25 General Fund but shall remain with the Council for the purposes described in this
26 section.

27 **FUNDS FOR VISITATION CENTERS**

28 **SECTION 3.** There is appropriated from the General Fund to the
29 Department of Crime Control and Public Safety the sum of two million dollars
30 (\$2,000,000) for the 2006-2007 fiscal year to be allocated to the Governor's Crime
31 Commission to create new supervised visitation and exchange centers and to continue
32 funding existing supervised visitation and exchange centers in this State. The
33 Commission shall distribute the funds through its grant process.

34 **FUNDS FOR ABUSER TREATMENT PROGRAM COORDINATOR POSITION**

35 **SECTION 4.** There is appropriated from the General Fund to the
36 Department of Administration the sum of twelve thousand dollars (\$12,000) for the
37 2006-2007 fiscal year to be allocated to the North Carolina Council for Women and the
38 Domestic Violence Commission to adjust the amount appropriated for the Abuser
39 Treatment Program Coordinator position to address inadequacies in both the salary and
40 associated benefits for this position.

41 **FUNDS FOR INTERNAL AUDITOR POSITION**

42 **SECTION 5.** There is appropriated from the General Fund to the
43 Department of Administration the sum of fifty-eight thousand nine hundred fifty-nine
44 dollars (\$58,959) for the 2006-2007 fiscal year to be allocated to the North Carolina

1 Council for Women and the Domestic Violence Commission to create an Internal
2 Auditor position. The Internal Auditor would be responsible for ensuring that the
3 Council complies with all statutory and regulatory requirements in its role as a granting
4 agency.

5 **DOMESTIC VIOLENCE TRAINING**

6 **SECTION 6.** It shall be the policy of this State that all educators in the
7 North Carolina public school system and all students, faculty, and staff in the North
8 Carolina Community College System or The University of North Carolina System
9 receive training in violence prevention, conflict resolution, and the availability of legal
10 resources for victims in an effort to increase awareness of domestic violence.

11 **VIOLATION OF PROTECTIVE ORDERS**

12 **SECTION 7.** G.S. 50B-4.1(f) reads as rewritten:

13 "(f) Unless covered under some other provision of law providing greater
14 punishment, any person who knowingly violates a valid protective order as provided in
15 subsection (a) of this section, after having been previously convicted of ~~three~~
16 ~~offenses~~one offense under this Chapter, shall be guilty of a Class H felony."

17 **EFFECTIVE DATE**

18 **SECTION 8.** This act becomes effective July 1, 2006, except that Section 7
19 of this act becomes effective December 1, 2006, and applies to offenses committed on
20 or after that date.