

**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2003**

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**SENATE DRS65110-LU-30 (3/6)**

Short Title: Equ. Dis. Claim Survive Death Spouse/Limit. (Public)

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Sponsors: Senator Rand.

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Referred to:

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A BILL TO BE ENTITLED

AN ACT ALLOWING A CLAIM FOR EQUITABLE DISTRIBUTION TO SURVIVE  
THE DEATH OF A SPOUSE WHEN THE PARTIES ARE LIVING SEPARATE  
AND APART AT THE TIME OF DEATH AND THE CLAIM IS FILED WITHIN  
SIX MONTHS OF THE DATE OF DEATH.

The General Assembly of North Carolina enacts:

**SECTION 1.** G.S. 50-20(l) reads as rewritten:

"(l) A ~~pending action~~claim for equitable distribution shall not abate upon the death of a party. survives the death of a spouse so long as the parties are living separate and apart at the time of death. Any claim for equitable distribution made after the death of a party must be filed within six months of the date of death."

**SECTION 2.** This act is effective when it becomes law.