

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2001**

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HOUSE BILL 997*

Short Title: School Assignment/Child in Pre-Adoptive Home. (Public)

Sponsors: Representative Earle.

Referred to: Education.

April 5, 2001

1 A BILL TO BE ENTITLED
2 AN ACT TO MODIFY THE PUBLIC SCHOOL RESIDENCY REQUIREMENT FOR
3 CHILDREN RESIDING IN PRE-ADOPTIVE HOMES.

4 The General Assembly of North Carolina enacts:

5 **SECTION 1.** G.S. 115C-366.2 reads as rewritten:

6 "**§ 115C-366.2. Applicability to certain persons.**

7 For the purposes of G.S. 115C-366 and 115C-366.1 for any person who is a resident
8 of a place which is not the person's place of domicile, because: (i) of the residence of a
9 parent, guardian, or legal custodian who is a student, employee or faculty member, of a
10 college or university, or a visiting scholar at the National Humanities Center; or (ii) the
11 child is placed in or assigned to a group home, foster home, or other similar facility or
12 institution, other than a child covered by G.S. 115C-140.1(a); or (iii) the child resides
13 with a legal custodian who is not the child's parent or guardian, or (iv) the child resides
14 in a pre-adoptive home following placement by a county department of social services
15 or a licensed child-placing agency, those sections shall be applied by substituting the
16 word "residing" for the word "domiciled," by substituting the word "residence" for the
17 word "domicile," and by substituting the word "residents" for the word "domiciliaries."
18 For purposes of this section, "legal custodian" means the person or agency that has been
19 awarded legal custody of the child by a court.

20 This section shall not be construed to affect the ability of any person to acquire a
21 new domicile."

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