

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2001**

**SESSION LAW 2001-303
SENATE BILL 836**

**AN ACT TO MODIFY THE PUBLIC SCHOOL RESIDENCY REQUIREMENT FOR
CHILDREN RESIDING IN PRE-ADOPTIVE HOMES.**

The General Assembly of North Carolina enacts:

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

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

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

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

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

In the General Assembly read three times and ratified this the 12th day of July, 2001.

s/ Beverly E. Perdue
President of the Senate

s/ James B. Black
Speaker of the House of Representatives

s/ Michael F. Easley
Governor

Approved 1:22 p.m. this 21st day of July, 2001