

**N.C.G.S. § 50-13.1. Action or proceeding for custody of a minor child.**

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(a1) Notwithstanding any other provision of law, any person instituting an action or proceeding for custody ~~ex parte~~ who has been convicted of a sexually violent offense as defined in G.S. 14-208.6(5), of a human trafficking offense as defined in G.S. 14-43.11 through G.S. 14-43.13, or of sexual exploitation of a minor as defined in G.S. 14-190.16, G.S. 14-190.17, or G.S. 14-190.17A shall disclose the conviction in the pleadings. In addition, notwithstanding any other provision of law, any person instituting an action or proceeding for custody who has been granted or denied custody of any minor child in a Chapter 50B action in any jurisdiction shall disclose the filing of such an action or proceeding in the pleadings. **Willful failure to make the required disclosures shall be punishable as perjury pursuant to G.S. 14-209.**

(a2) In cases where a nonparent is seeking custody of a minor child or being given custody of a minor child in a consent order, the nonparent shall attest in the pleadings or the consent order that nothing of value has been paid or given, offered to be paid or given, or promised, directly or indirectly, in exchange for the minor child. Money or property offered or paid by a parent to the nonparent as support for the minor child shall not be considered value given in exchange for the custody of the child.

1) "granted or denied" v. "denied": Some advocate for including both as it would help raise a red flag if someone received custody in the past. Others indicated denial of custody would be a sufficient red flag for a judge to ask for more information.

2) Discussed some would like there to be punishment as a deterrent, but also don't want to overcriminalize. Discussed thinking outside the box with potential options such as denying the request, civil fines etc. Generally don't feel it should be a felony.