

NORTH CAROLINA GENERAL ASSEMBLY
1973 SESSION

CHAPTER 1354
SENATE BILL 971

AN ACT TO AMEND THE ADOPTION LAW TO PROVIDE FOR ADOPTION OF A
CHILD BY A NATURAL PARENT WITHOUT THE JOINDER OF THE SECOND
SPOUSE.

The General Assembly of North Carolina enacts:

Section 1. G.S. 48-4(b) is amended by adding a new sentence following the period on line 3:

"Provided further that if the petitioner is the natural parent of the child to be adopted and the other natural parent of the child is living, the spouse of the petitioner may choose not to join in the petition, but shall indicate agreement to the proposed adoption by affidavit which shall be incorporated into the adoption proceeding."

Sec. 2. G.S. 48-4(c) is amended by inserting in line 4 after "subsection (b)" and before "or" the words "or for the adoption of a natural child as provided in subsection (b)".

Sec. 3. G.S. 48-4(c) is further amended by inserting in line 8 after "petitioners" and before "and" the words "and in cases where the petitioner is the natural parent of the child as provided in subsection (b)".

Sec. 4. G.S. 48-4(e) is amended by inserting in line 1 after "is" and before "the" the words "the natural parent or".

Sec. 5. G.S. 48-7 is amended by adding a new subsection thereto:

"(e) When the spouse of the natural parent chooses not to join in the petition and has signed an affidavit as provided in G.S. 48-4(b), the consent of the other natural parent to the adoption shall not affect the relationship of parent and child between such parent and the child."

Sec. 6. G.S. 48-21(c) is amended by inserting in line 7 after "is" and before "the" the words "the natural child or".

Sec. 7. This act shall become effective upon ratification.

In the General Assembly read three times and ratified, this the 12th day of April, 1974.