

GENERAL ASSEMBLY OF NORTH CAROLINA
1995 SESSION

CHAPTER 424
SENATE BILL 836

AN ACT TO ENHANCE PARENTAL SUPPORT OF CHILDREN BY AMENDING
THE LAW PERTAINING TO CIVIL ACTIONS TO ESTABLISH PATERNITY.

The General Assembly of North Carolina enacts:

Section 1. G.S. 49-14(c) reads as rewritten:

"(c) No such action shall be commenced nor judgment entered after the death of the putative ~~father~~, unless the action is commenced either:

- (1) Prior to the death of the putative father;
- (2) Within one year after the date of death of the putative father, if a proceeding for administration of the estate of the putative father has not been commenced within one year of his death; or
- (3) Within the period specified in G.S. 28A-19-3(a) for presentation of claims against an estate, if a proceeding for administration of the estate of the putative father has been commenced within one year of his death.

Any judgment under this subsection establishing a decedent to be the father of a child shall be entered nunc pro tunc to the day preceding the date of death of the father."

Sec. 2. G.S. 49-14(d) reads as rewritten:

"(d) If the action to establish paternity is brought more than three years after birth of a ~~child~~, child or is brought after the death of the putative father, paternity shall not be established in a contested case without evidence from a blood or genetic marker test."

Sec. 3. This act becomes effective October 1, 1995, and applies to actions commenced on or after that date, but before October 1, 1998, without regard to the date of death of the putative father. This act expires on October 1, 1998.

In the General Assembly read three times and ratified this the 12th day of July, 1995.

Dennis A. Wicker
President of the Senate

Harold J. Brubaker
Speaker of the House of Representatives