

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1989

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HOUSE BILL 48

Short Title: Compensation/Illegitimate Child.

(Public)

Sponsors: Representatives Cromer; and Flaherty.

Referred to: Judiciary.

January 19, 1989

A BILL TO BE ENTITLED

AN ACT TO PROVIDE THAT AN ILLEGITIMATE CHILD IS ELIGIBLE TO RECEIVE WORKERS' COMPENSATION BENEFITS UNDER THE SAME CIRCUMSTANCES AS ANY OTHER CHILD OF THE EMPLOYEE WHO SATISFIES THE DEFINITION OF CHILD AS STATED IN G.S. 97-2(12) WHEN THE EMPLOYEE'S PATERNITY OF THE CHILD HAS BEEN JUDICIALLY DETERMINED.

The General Assembly of North Carolina enacts:

Section 1. G.S. 97-2(12) reads as rewritten:

"(12) Child, Grandchild, Brother, Sister. – The term 'child' shall include a posthumous child, a child legally adopted prior to the injury of the employee, ~~and~~ a stepchild or acknowledged illegitimate child dependent upon the deceased, and an illegitimate child if the employee's paternity of the child has been judicially determined, but does not include married children unless wholly dependent upon him. 'Grandchild' means a child as above defined of a child as above defined. 'Brother' and 'sister' include stepbrothers and stepsisters, half brothers and half sisters, and brothers and sisters by adoption, but does not include married brothers nor married sisters unless wholly dependent on the employee. 'Child,' 'grandchild,' 'brother,' and 'sister' include only persons who at the time of the death of the deceased employee are under 18 years of age."

Sec. 2. This act is effective upon ratification.