

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

H

1

HOUSE BILL 86

Short Title: Social Services Paternity ID.

(Public)

Sponsors: Representatives J. Brown; Berry, Bowie, Buchanan, Carpenter, Clary, Cocklereece, Culp, Decker, Grady, Hiatt, Hill, Holmes, Justus, Kiser, McComas, Preston, Rayfield, Sexton, Sharpe, Warner, and Weatherly.

Referred to: Welfare Reform and Human Resources.

February 1, 1995

A BILL TO BE ENTITLED

AN ACT TO REQUIRE THE IDENTIFICATION OF THE FATHER OF ANY CHILD
ELIGIBLE FOR PUBLIC ASSISTANCE.

The General Assembly of North Carolina enacts:

Section 1. G.S. 110-131 reads as rewritten:

"§ 110-131. **Compelling disclosure of information respecting the nonsupporting responsible parent of a child receiving public assistance.—assistance; compelling identification of child's paternity prior to receipt of assistance.**

(a) If a parent of any dependent child receiving public assistance fails or refuses to cooperate with the county in locating and securing support from a nonsupporting responsible parent, this parent may be cited to appear before any judge of the district court and compelled to disclose such information under oath and/or may be declared ineligible for public assistance by the county department of social services for as long as he fails to cooperate.

(a1) Effective October 1, 1995, the parent of any dependent infant shall, in addition to providing the cooperation required by subsection (a) of this section, provide the identity of the other parent of the child to the county department of social services within 30 days of the infant's birth and prior to the receipt of public assistance, if the infant is

1 otherwise eligible from birth for public assistance. The parent of the dependent child
2 who becomes eligible for public assistance on or after October 1, 1993, at any time after
3 birth, shall, in addition to providing the cooperation required by subsection (a) of this
4 section, provide the county department of social services the identification of the other
5 parent when applying for public assistance. The parent who is receiving public assistance
6 on October 1, 1995, shall, in addition to providing the cooperation required by subsection
7 (a) of this section, provide the identity of the other parent to the county department of
8 social services by November 1, 1995.

9 A parent of any dependent infant or child eligible for or receiving public assistance
10 who fails or refuses to provide the identity of the other parent as prescribed by this
11 subsection may be cited to appear before any judge of the district court and compelled to
12 disclose the identity under oath. The parent shall be declared ineligible for public State
13 assistance by the county department of social services for as long as the parent fails to
14 provide the identity, except as otherwise prescribed by federal law.

15 (b) Any parent who, having been cited to appear before a judge of the district court
16 pursuant to ~~subsection (a)~~, subsections (a) and (a1) of this section, fails or refuses to
17 appear or fails or refuses to provide the information or identity requested may be found to
18 be in contempt of said court and may be fined not more than one hundred dollars
19 (\$100.00) or imprisoned not more than six months or both.

20 (c) Any parent who is declared ineligible for public assistance by the county
21 department of social services shall have ~~his~~ the parent's needs excluded from
22 consideration in determining the amount of the grant, and the needs of the remaining
23 family members shall be met in the form of a protective payment in accordance with ~~G.S.~~
24 ~~108-50.~~ G.S. 108A-38."

25 Sec. 2. This act becomes effective December 1, 1995, and applies to
26 determinations of eligibility made on or after that date.