

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

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SENATE BILL 836

Short Title: Civil Action/Paternity.

(Public)

Sponsors: Senators Hartsell and Martin of Guilford.

Referred to: Judiciary II/Election Laws

April 25, 1995

A BILL TO BE ENTITLED

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.~~ 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 establishing a decedent to be the father of an illegitimate child shall be entered nunc pro tunc to the day preceding the date of death of the father."

Sec. 2. This act becomes effective October 1, 1995, and applies to actions commenced on or after that date without regard to the date of death of the putative father.