

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2023

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SENATE BILL DRS35212-NJ-53

Short Title: Establishing Paternity Revisions. (Public)

Sponsors: Senators Mayfield and Sawrey (Primary Sponsors).

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO CHANGE THE PROCESS FOR ESTABLISHING PATERNITY OF CHILDREN
3 BORN OUT OF WEDLOCK.

4 The General Assembly of North Carolina enacts:

5 SECTION 1. G.S. 29-19 reads as rewritten:

6 "§ 29-19. Succession by, through and from children born out of wedlock.

7 (a) For purposes of intestate succession, a child born out of wedlock shall be treated as if
8 that child were the legitimate child of the child's mother, so that the child and the child's lineal
9 descendants are entitled to take by, through and from the child's mother and the child's other
10 maternal kindred, both descendants and collaterals, and they are entitled to take from the child.

11 (b) For purposes of intestate succession, a child born out of wedlock shall be entitled to
12 take by, through and from:

13 (1) Any person who has been finally adjudged to be the father of the child
14 pursuant to the provisions of G.S. 49-1 through 49-9 or the provisions of
15 G.S. 49-14 through ~~49-16~~;G.S. 49-16.

16 (2) Any person who has acknowledged himself during his own lifetime and the
17 child's lifetime to be the father of the child in a written instrument executed or
18 acknowledged before a certifying officer named in ~~G.S. 52-10(b)~~ and filed
19 ~~during his own lifetime and the child's lifetime in the office of the clerk of~~
20 ~~superior court of the county where either he or the child resides.~~G.S. 52-10(b).

21 (3) A person who died prior to or within one year after the birth of the child and
22 who can be established to have been the father of the child by DNA testing.

23"

24 SECTION 2. This act is effective when it becomes law.

