

NORTH CAROLINA GENERAL ASSEMBLY  
1967 SESSION

CHAPTER 993  
SENATE BILL 108

1 AN ACT TO PROVIDE FOR CIVIL ACTIONS REGARDING ILLEGITIMATE  
2 CHILDREN.

3  
4 The General Assembly of North Carolina do enact:

5  
6 **Section 1.** Chapter 49 of the General Statutes of North Carolina is amended by  
7 adding thereto the following Article:

8 "Article 3

9 "Civil Actions Regarding Illegitimate Children

10 "**§ 49-14. Civil Action to Establish Paternity.** (a) The paternity of a child born out of  
11 wedlock may be established by civil action. Such establishment of paternity shall not have the  
12 effect of legitimation.

13 "(b) Proof of paternity pursuant to this Section shall be beyond a reasonable doubt.

14 "(c) Such action for paternity may be commenced within one of the following periods:

15 (1) Three years next after the birth of the child; or

16 (2) Where the reputed father has acknowledged paternity of the child by  
17 payments for the support thereof within three years next after the birth of  
18 such child, three years from the date of the last payment whether such last  
19 payment was made within three years of the birth of such child or thereafter,  
20 but such action must be commenced before the child attains the age of 18  
21 years.

22 "**§ 49-15. Custody and Support of Illegitimate Children When Paternity Established.**

23 Upon and after the establishment of paternity of an illegitimate child pursuant to G.S. 49-14,  
24 the rights, duties, and obligations of the mother and the father so established, with regard to  
25 support and custody of the child, shall be the same, and may be determined and enforced in the  
26 same manner, as if the child were the legitimate child of such father and mother. When  
27 paternity has been established, the father becomes responsible for medical expenses incident to  
28 the pregnancy and the birth of the child.

29 "**§ 49-16. Parties to Proceeding.** Proceedings under this Article may be brought by:

30 "(1) The mother, the father, the child, or the personal representative of any of  
31 them, or

32 "(2) When the child, or the mother in case of medical expenses, is likely to  
33 become a public charge, the director of public welfare or such person as by  
34 law performs the duties of such official,

35 (a) in the county where the mother resides or is found,

36 (b) in the county where the putative father resides or is found, or

37 (c) in the county where the child resides or is found."

38 **Sec. 2.** G.S. 6-21, as the same appears in the 1965 Cumulative Supplement to  
39 Volume 1B of the General Statutes, is hereby amended by adding the following subdivision  
40 (10) to the first paragraph thereof:

41 "(10) In proceedings regarding illegitimate children under Article 3, Chapter 49 of  
42 the General Statutes."

43 **Sec. 3.** All laws and clauses of laws in conflict with this Act are hereby repealed.

1                   **Sec. 4.** This Act shall become effective October 1, 1967.  
2                   In the General Assembly read three times and ratified, this the 29th day of June,  
3                   1967.