

NORTH CAROLINA GENERAL ASSEMBLY  
1967 SESSION

CHAPTER 442  
SENATE BILL 279

1 AN ACT TO AUTHORIZE THE STATE REGISTRAR OF THE OFFICE OF VITAL  
2 STATISTICS TO PREPARE A NEW BIRTH CERTIFICATE FOR AN ADOPTED  
3 CHILD WHICH SHALL CONTAIN THE FULL NAME, AGE, (AT TIME OF CHILD'S  
4 BIRTH), RACE AND BIRTHPLACE OF THE DECEASED HUSBAND OF THE  
5 ADOPTIVE MOTHER OF SAID CHILD.  
6

7 WHEREAS, two residents (husband and wife), of Guilford County, North Carolina,  
8 pursuant to the terms of a written placement agreement entered into with the Childrens Home  
9 Society of North Carolina, Inc., received into their home, in 1964, an infant child, a ward of the  
10 said Childrens Home Society of North Carolina, Inc., with the intention of adopting said child;  
11 and

12 WHEREAS, the said child thereafter resided continuously in the home of the said  
13 proposed adoptive parents and was treated in all respects as if it were their own child and was  
14 given the care and affection of parents; and

15 WHEREAS, prior to the filing of a Petition for Adoption of said child, the proposed  
16 adoptive father died unexpectedly as the result of a heart attack in January of 1965; and

17 WHEREAS, the surviving spouse of the proposed adoptive father, by and with the  
18 consent of the Childrens Home Society of North Carolina, Inc., on the 2nd day of March, 1965,  
19 instituted adoption proceedings in the Superior Court of Guilford County, North Carolina, and  
20 in said proceeding requested a change in the name of said child so as to give to said child the  
21 surname of the deceased proposed adoptive father; and

22 WHEREAS, a final order for adoption was entered in the said Superior Court on the  
23 25th day of May, 1965, establishing the relationship of parent and child between said child and  
24 the aforesaid surviving spouse (mother) and further providing that the child's name should  
25 thereafter be as requested in the Petition for Adoption, and ordering the State Registrar of Vital  
26 Statistics to issue a new birth certificate for said child in accordance with the provisions of  
27 Section 48-29 of the General Statutes of North Carolina; and

28 WHEREAS, pursuant to the provisions of Section 48-29 of the said General Statutes  
29 the State Registrar did issue a new Certificate of Live Birth for said child, which certificate is  
30 recorded in Volume 64, Page 030766, Office of Vital Statistics, Raleigh, North Carolina; and

31 WHEREAS, the aforesaid new Certificate of Live Birth for said child does not show  
32 thereon the name, age, (at time of child's birth), race or birthplace of the deceased proposed  
33 adoptive father of said child, and the Attorney General of the State of North Carolina has  
34 rendered an opinion that where a proposed adoptive father dies before an interlocutory decree is  
35 entered in an adoption proceeding, the Office of Vital Statistics is without authority to show the  
36 name of the said deceased proposed adoptive father on the new birth certificate,  
37 notwithstanding that the surviving spouse of the proposed adoptive parents becomes the  
38 adoptive parent of the child; and

39 WHEREAS, the adoptive parent (mother) of said child desires to have shown on the  
40 new Certificate of Live Birth of said child the name, age, (at time of child's birth), race and  
41 birthplace of her deceased husband as the adoptive father of said child in order that full  
42 parentage may be shown on the child's birth certificate: Now, therefore,  
43

1 The General Assembly of North Carolina do enact:

2  
3 **Section 1.** That the State Registrar of the Office of Vital Statistics is hereby  
4 empowered and directed to amend the Certificate of Live Birth recorded in Volume 64, Page  
5 030766, Office of Vital Statistics, Raleigh, N.C. which amended birth certificate shall contain,  
6 in addition to the information already shown thereon, under the heading "father" on said  
7 certificate, the name, age, (at time of child's birth), race and birthplace of the deceased spouse  
8 of the adoptive parent (mother) of said child. This Section shall not be construed to entitle the  
9 child named in said birth certificate to inherit real and personal property by, through, and from  
10 the individual named as father on said amended birth certificate.

11 **Sec. 2.** This Act shall be in full force and effect from and after it is ratified.

12 In the General Assembly read three times and ratified, this the 16th day of May,  
13 1967.