

NORTH CAROLINA GENERAL ASSEMBLY
1979 SESSION

CHAPTER 542
SENATE BILL 616

AN ACT TO INSURE THAT SEXUAL INTERCOURSE IN THIS STATE IS SUFFICIENT GROUNDS TO SUBJECT THE PARTICIPANTS THEREIN TO THE JURISDICTION OF THE COURTS OF THIS STATE FOR PURPOSES OF ADJUDICATING THE PATERNITY OF ANY CHILD WHO MAY HAVE BEEN CONCEIVED AS A RESULT THEREOF.

Whereas, the percentage of illegitimate births in North Carolina has in recent years steadily increased to at least sixteen and eight tenths percent (16.8%) of all births for the calendar year 1977 (14,208 illegitimate births); and

Whereas, although the biological parents of many of these children born out of wedlock conceived their offspring as a result of sexual intercourse in North Carolina, many of these same biological parents are either nonresidents of or are no longer present in North Carolina; and

Whereas, a great many of the children born out of wedlock join the public welfare rolls and thereby increase the burden on State taxpayers; and

Whereas, the persons responsible for the birth and support of these children should be obligated to return to this State for purposes of adjudicating the parentage of children, the risk of whose conception they previously assumed by engaging in sexual intercourse in this State; Now, therefore,

The General Assembly of North Carolina enacts:

Section 1. Article 3 of Chapter 49 as the same appears in the 1976 Replacement to Volume 2A of the General Statutes is hereby amended by adding a new section following G.S. 49-16, to be numbered as G.S. 49-17 and to read as follows:

"§ 49-17. **Jurisdiction over nonresident or nonpresent persons.** — (a) The act of sexual intercourse within this State constitutes sufficient minimum contact with this forum for purposes of subjecting the person or persons participating therein to the jurisdiction of the courts of this State for actions brought under this Article for paternity and support of any child who may have been conceived as a result of such act.

(b) The jurisdictional basis in subsection (a) of this section shall be construed in addition to, and not in lieu of, any basis or bases for jurisdiction within G.S. 1-75.4."

Sec. 2. This act is effective upon ratification.

In the General Assembly read three times and ratified, this the 9th day of May, 1979.