GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1989

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SENATE BILL 422
Second Edition Engrossed 5/11/89

Short Title: Paternity Case Burden of Proof. (Public)

Sponsors: Senators Martin of Guilford; Marvin, Harris, and Allran.

Referred to: Judiciary II.

March 14, 1989

A BILL TO BE ENTITLED

AN ACT TO CHANGE THE BURDEN OF PROOF IN CIVIL PATERNITY ACTIONS.

The General Assembly of North Carolina enacts:

Section 1. G.S. 49-14(b) reads as rewritten:

"(b) Proof of paternity pursuant to this section shall be ~~beyond a reasonable doubt~~by clear, cogent and convincing evidence. A judgment of nonpaternity pursuant to this section shall be a bar to a prosecution in a criminal action pursuant to G.S. 49-2 to establish paternity between the child and putative father."

Sec. 2. This act shall become effective October 1, 1989, and applies to cases arising on or after that date.