

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 1999

SESSION LAW 1999-296
SENATE BILL 176

AN ACT TO AMEND THE LAW RELATING TO THE FORFEITURE OF
PROPERTY RIGHTS BY SLAYERS, AS RECOMMENDED BY THE GENERAL
STATUTES COMMISSION.

The General Assembly of North Carolina enacts:

Section 1. G.S. 31A-4 reads as rewritten:

"§ 31A-4. Slayer barred from testate or intestate succession and other rights.

The slayer shall be deemed to have died immediately prior to the death of the decedent and the following rules shall apply:

- (1) The slayer shall not acquire any property or receive any benefit from the estate of the decedent by testate or intestate succession or by common law or statutory right as surviving spouse of the decedent.
- (2) Where the decedent dies intestate as to property which would have passed to the slayer by intestate ~~succession, such property shall pass to others next in succession in accordance with the applicable provision of the Intestate Succession Act.~~ succession and the slayer has living issue who would have been entitled to an interest in the property if the slayer had predeceased the decedent, the property shall be distributed to such issue, per stirpes. If the slayer does not have such issue, then the property shall be distributed as though the slayer had predeceased the decedent.
- (3) Where the decedent dies testate as to property which would have passed to the slayer pursuant to the will, ~~such property shall pass as if the decedent had died intestate with respect thereto, unless otherwise disposed of by the will.~~ the devolution of such property shall be governed by G.S. 31-42(a) notwithstanding the fact the slayer has not actually died before the decedent."

Section 2. This act becomes effective October 1, 1999, and applies to the estates of decedents dying on or after that date.

In the General Assembly read three times and ratified this the 7th day of July, 1999.

s/ Marc Basnight
President Pro Tempore of the Senate

s/ James B. Black
Speaker of the House of Representatives

s/ James B. Hunt, Jr.
Governor

Approved 10:24 p.m. this 14th day of July, 1999