

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1993

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HOUSE BILL 545

Short Title: Renunciation Amendments.

(Public)

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Sponsors: Representative Kennedy.

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Referred to: Courts and Justice.

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March 25, 1993

A BILL TO BE ENTITLED

AN ACT TO IMPLEMENT A RECOMMENDATION OF THE GENERAL  
STATUTES COMMISSION TO MAKE TECHNICAL AMENDMENTS  
REGARDING THE RENUNCIATION OF PROPERTY.

The General Assembly of North Carolina enacts:

Section 1. G.S. 31B-3(b) reads as rewritten:

"(b) In the event that the property or interest renounced was created by testamentary disposition, the devolution of the property or interest renounced shall be governed by G.S. 31-42(a) ~~and (b)~~ notwithstanding that in fact the renouncer has not actually died before the testator."

Sec. 2. G.S. 31B-3 is amended by adding a new subsection to read:

"(c) In the event that the decedent dies intestate, or the ownership or succession to property or to an interest is to be determined as though a decedent had died intestate, and the renouncer has living issue who would have been entitled to an interest in the property or interest if the renouncer had predeceased the decedent, then the property or interest renounced shall be distributed to such issue, **per stirpes**. If the renouncer does not have such issue, then the property or interest shall be distributed as though the renouncer had predeceased the decedent."

Sec. 3. This act becomes effective October 1, 1993, and applies to any renunciation made on or after that date.