

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1991

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HOUSE BILL 1127

Short Title: Social Services Paternity ID.

(Public)

Sponsors: Representatives Brown; Balmer, Barbee, Brawley, Buchanan, Decker, Dockham, Flaherty, Kimsey, Ligon, Loflin, Mercer, Morgan, Privette, and Wilson.

Referred to: Human Resources.

April 24, 1991

A BILL TO BE ENTITLED

AN ACT TO REQUIRE THE IDENTIFICATION OF THE FATHER OF ANY CHILD
ELIGIBLE FOR PUBLIC ASSISTANCE.

The General Assembly of North Carolina enacts:

Section 1. G.S. 110-131 reads as rewritten:

"§ 110-131. **Compelling disclosure of information respecting the nonsupporting responsible parent of a child receiving public ~~assistance.~~ assistance; compelling identification of child's paternity prior to receipt of assistance.**

(a) If a parent of any dependent child receiving public assistance fails or refuses to cooperate with the county in locating and securing support from a nonsupporting responsible parent, this parent may be cited to appear before any judge of the district court and compelled to disclose such information under oath and/or may be declared ineligible for public assistance by the county department of social services for as long as he fails to cooperate.

(a1) Effective October 1, 1991, the female parent of any dependent infant shall, in addition to providing the cooperation required by subsection (a) of this section, provide the identity of the male parent of the child to the county department of social services within 30 days of the infant's birth and prior to the receipt of public assistance, if the infant is otherwise eligible from birth for public assistance. The female parent of any dependent child who becomes eligible for public assistance on and after October 1, 1991, at any time after birth, shall, in addition to providing the cooperation required by subsection (a) of this section, provide the county department of social services the

1 identity of the male parent at the same time as she makes application for public
2 assistance. The female parent of any dependent child who is receiving public assistance
3 on October 1, 1991, shall, in addition to providing the cooperation required by
4 subsection (a) of this section, provide the identity of the male parent to the county
5 department of social services by November 1, 1991.

6 If a female parent of any dependent infant or child eligible for or receiving public
7 assistance fails or refuses to provide the identification of the male parent as prescribed
8 by this subsection, she may be cited to appear before any judge of the district court and
9 compelled to disclose the identity under oath. She shall be declared ineligible for public
10 State assistance by the county department of social services for as long as she fails to
11 provide the identity, except as otherwise prescribed by federal law.

12 (b) Any parent who, having been cited to appear before a judge of the district
13 court pursuant to ~~subsection (a)~~, subsections (a) and (a1), fails or refuses to appear or
14 fails or refuses to provide the information or identity requested may be found to be in
15 contempt of said court and may be fined not more than one hundred dollars (\$100.00) or
16 imprisoned not more than six months or both.

17 (c) Any parent who is declared ineligible for public assistance by the county
18 department of social services shall have his or her needs excluded from consideration in
19 determining the amount of the grant, and the needs of the remaining family members
20 shall be met in the form of a protective payment in accordance with G.S. 108-50."

21 Sec. 2. This act becomes effective October 1, 1990.