



CHAPTER 30
ARTICLE 5 - UNIFORM COMMUNITY PROPERTY DISPOSITION AT DEATH ACT

N.C.G.S. § 30-49.

Right of heir, devisee, or nonprobate transferee.

SOURCE	LAST AMENDMENT IN THIS TEXT	RETRIEVED	SOURCE FINGERPRINT
General Statutes of North Carolina, as published by the General Assembly	No amendment history on record	21 September 2026, 03:24 UTC	27bffb9fabf162da15d5720b - 62d54843bed0562e0a56a034 - 4ef6c435a3e54050

An heir, devisee, or nonprobate transferee of a deceased community-property spouse may assert a claim for relief with respect to a right under this Article in accordance with the following:

With respect to a claim asserting a right in or to property, the heir, devisee, or nonprobate transferee must do either of the following:

- a. Within one year of the decedent's date of death, commence a civil action in superior court against the surviving community-property spouse who is in possession of the property.
- b. Satisfy the procedural requirements of G.S. 30-48(a)(1)b.

With respect to a claim for relief other than a claim under subdivision (1) of this section, the heir, devisee, or nonprobate transferee must do either of the following:

- a. If a personal representative of the decedent's estate is not appointed, commence a civil action in superior court within one year of the decedent's date of death.
- b. Satisfy the procedural requirements of G.S. 30-48(a)(1)b.

The incapacity of the heir, devisee, or nonprobate transferee does not toll the time for commencing an action or filing a petition as provided in this section. (2025-25, s. 51.)

END OF SECTION TEXT

APPARATUS FOLLOWS — DERIVED, NOT ENACTED

APPARATUS II
1 AUTHORITY

Authorities referenced

Every G.S. cross-reference appearing in the text of this section, in order of first appearance. Nothing is characterized; the operative language is quoted from the section itself.

REFERENCE	APPEARS IN	OPERATIVE LANGUAGE IN THIS SECTION
G.S. 30-48(a)(1)		"b. Satisfy the procedural requirements of"

APPARATUS III

Citation

FULL SECTION

N.C. Gen. Stat. § 30-49 (2026).

Pinpoint keys are set in the left margin of the text rather than line numbers: subsection designators are stable across editions and paper sizes, line numbers are not.

COLOPHON

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