



CHAPTER 31B

N.C.G.S. § 31B-4.

Waiver and bar.

SOURCE General Statutes of North Carolina, as published by the General Assembly	LAST AMENDMENT IN THIS TEXT S.L. 2009-48, s. 7 — fifth act in the lineage	RETRIEVED 21 September 2026, 04:06 UTC	SOURCE FINGERPRINT c7a1a73008ce3259bcbaa230 - 3f5f5f4358765454b549ba23 - 92b8d557548c6ca0
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- § 31B-4(a)** The right to renounce property or an interest therein is barred by:
- (1) An assignment, conveyance, encumbrance, pledge, or transfer of the property or interest, or a contract therefor by the person authorized to renounce,
 - (2) A written waiver of the right to renounce, or
 - (3) Repealed by Session Laws 1998-148, s. 4.
 - (4) A sale of the property or interest under judicial sale made before the renunciation is effected.
- § 31B-4(b)** An instrument waiving or barring the right to renounce is binding upon the person waiving the right to renounce or the person barred from renouncing and all persons claiming through or under that person.
- § 31B-4(c)** A fiduciary's application for appointment or assumption of duties as fiduciary does not waive or bar the fiduciary's right to renounce a right, power, privilege, or immunity.
- § 31B-4(d)** No person shall be liable for distributing or disposing of property in reliance upon the terms of a renunciation that is invalid for the reason that the right of renunciation has been waived or barred, if the distribution or disposition is otherwise proper, and the person has no actual knowledge or record notice of the facts that constitute a waiver or bar to the right of renunciation.
- § 31B-4(e)** The right to renounce property or an interest in property pursuant to this Chapter is not barred by an acceptance of the property, interest, or benefit thereunder;

provided, however, an acceptance of the property, interest, or benefit thereunder may preclude such renunciation from being a qualified renunciation for federal and State inheritance, estate, and gift tax purposes.

§ 31B-4(f)

An instrument waiving or barring the right to renounce an interest in real property is not effective as to persons protected under G.S. 47-18 or G.S. 47-20 until either (i) registered as provided in those sections or (ii) registered pursuant to a judicial sale proceeding as described in subdivision (4) of subsection (a) of this section in which the person renouncing is a party. The instrument of waiver or bar shall be indexed in the grantor's index under (i) the name of the transferor of the property or interest in the property or creator of the power or holder of the power and (ii) the name of the person whose renunciation is waived or barred.

END OF SECTION TEXT

APPARATUS FOLLOWS — DERIVED, NOT ENACTED

APPARATUS I
5 ACTS

Amendment lineage

The State prints this history as a single parenthetical at the foot of the section. It is reproduced verbatim in the colophon and unpacked below in order of enactment.

1975		1992	2009
TICK HEIGHT = ACTS IN THAT YEAR DASHED = RECODIFICATION, NOT AMENDMENT			
Nº	YEAR	ACT	CHARACTER
01	1975	c. 371, s. 1	ENACTED
02	1989	c. 684, s. 6	AMENDED
03	1998	S.L. 1998-148, ss. 4, 5	AMENDED
04	2000	S.L. 2000-140, s. 8	AMENDED
05	2009	S.L. 2009-48, s. 7	AMENDED

APPARATUS II
2 AUTHORITIES

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. 47-18	(f)	"effective as to persons protected under"

G.S. 47-20

(f)

"persons protected under G.S. 47-18 or"

APPARATUS III

Citation

FULL SECTION

N.C. Gen. Stat. § 31B-4 (2009).

PINPOINT

N.C. Gen. Stat. § 31B-4(a) (2009).

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

Provenance

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HISTORY PARENTHETICAL, AS PRINTED BY THE STATE

(1975, c. 371, s. 1; 1989, c. 684, s. 6; 1998-148, ss. 4, 5; 2000-140, s. 8; 2009-48, s. 7.)

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