



CHAPTER 97  
ARTICLE 1 - WORKERS' COMPENSATION ACT

N.C.G.S. § 97-39.

Widow, widower, or child to be conclusively presumed to be dependent; other cases determined upon facts; division of death benefits among those wholly dependent; when division among partially dependent.

|                                                                                    |                                                                         |                                           |                                                                                              |
|------------------------------------------------------------------------------------|-------------------------------------------------------------------------|-------------------------------------------|----------------------------------------------------------------------------------------------|
| SOURCE<br>General Statutes of North Carolina, as published by the General Assembly | LAST AMENDMENT IN THIS TEXT<br>c. 120, s. 39 — first act in the lineage | RETRIEVED<br>21 September 2026, 01:57 UTC | SOURCE FINGERPRINT<br>35a619515f9dba8ade7c916e - eca27752a81ff30ab14ef65b - bc8956f9acf84a06 |
|------------------------------------------------------------------------------------|-------------------------------------------------------------------------|-------------------------------------------|----------------------------------------------------------------------------------------------|

A widow, a widower and/or a child shall be conclusively presumed to be wholly dependent for support upon the deceased employee. In all other cases questions of dependency, in whole or in part shall be determined in accordance with the facts as the facts may be at the time of the accident, but no allowance shall be made for any payment made in lieu of board and lodging or services, and no compensation shall be allowed unless the dependency existed for a period of three months or more prior to the accident. If there is more than one person wholly dependent, the death benefit shall be divided among them, the persons partly dependent, if any, shall receive no part thereof. If there is no one wholly dependent, and more than one person partially dependent, the death benefit shall be divided among them according to the relative extent of their dependency.

The widow, or widower and all children of deceased employees shall be conclusively presumed to be dependents of deceased and shall be entitled to receive the benefits of this Article for the full periods specified herein.

END OF SECTION TEXT

APPARATUS FOLLOWS — DERIVED, NOT ENACTED

APPARATUS I

1 ACT

# 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.

| └─                                                                          |      |               |           | 1930 |
|-----------------------------------------------------------------------------|------|---------------|-----------|------|
| 1929                                                                        |      |               |           |      |
| TICK HEIGHT = ACTS IN THAT YEAR      DASHED = RECODIFICATION, NOT AMENDMENT |      |               |           |      |
| Nº                                                                          | YEAR | ACT           | CHARACTER |      |
| 01                                                                          | 1929 | c. 120, s. 39 | ENACTED   |      |

APPARATUS III

# Citation

FULL SECTION

N.C. Gen. Stat. § 97-39 (1929).

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  
(1929, c. 120, s. 39.)

SET IN SPECTRAL AND ARCHIVO  
NORTH CAROLINA LAW — STATUTE EXPORT, FORMAT V1

