

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 1999

SENATE BILL 871
RATIFIED BILL

AN ACT TO AMEND THE LAW REGARDING THE OBLIGATION OF
DECEDENTS' ESTATES FOR FUNERAL EXPENSES AND RELATED
EXPENSES.

The General Assembly of North Carolina enacts:

Section 1. G.S. 28A-19-8 reads as rewritten:

"§ 28A-19-8. Funeral expenses of decedent.

(a) Any person authorized under G.S. 130A-420 to dispose of a decedent's body may bind a decedent's estate for funeral expenses and related charges, including interest and finance charges, in accordance with this section, including the execution and delivery on behalf of the estate of any agreements, promissory notes, and other instruments relating to the estate. Whether or not a personal representative of the estate has been appointed at the time the expenses are incurred, funeral expenses of a decedent-decedent, together with interest or finance charges if financed by the funeral establishment or a third-party creditor, shall be considered as an obligation of the estate of the decedent and the decedent's estate shall be primarily liable therefor. For those expenses to the funeral establishment that provided the funeral service, to any third-party creditor that finances the payment of those expenses, or to any other person described in this section who has paid such expenses.

(b) The provisions of this section shall not affect the application of G.S. 28A-19-6, G.S. 28A-19-6 or G.S. 130A-420."

Section 2. This act becomes effective October 1, 1999.

In the General Assembly read three times and ratified this the 31st day of May, 1999.

Dennis A. Wicker
President of the Senate

James B. Black
Speaker of the House of Representatives

James B. Hunt, Jr.
Governor

Approved _____ .m. this _____ day of _____ , 19