

**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2007**

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**HOUSE BILL 1400  
Committee Substitute Favorable 5/4/07  
Committee Substitute #2 Favorable 5/22/07**

Short Title: Tissue Bank Referrals/Funeral Directors.

(Public)

Sponsors:

Referred to:

April 12, 2007

1                                   A BILL TO BE ENTITLED  
2 AN ACT TO PROHIBIT THE TAKING OR RECOVERY OF HUMAN TISSUE AT A  
3 FUNERAL ESTABLISHMENT BY ANY PERSON, WITH CERTAIN  
4 EXCEPTIONS.

5 The General Assembly of North Carolina enacts:

6           **SECTION 1.** G.S. 90-210.25 is amended by adding the following new  
7 subsection to read:

8           "(e1) The taking or recovery of human tissue at a funeral establishment by any  
9 person is prohibited, except that this prohibition does not apply to:

10           (1) A licensee under this Article that performs embalming or otherwise  
11 prepares a dead human body in the ordinary course of business, and

12           (2) The Chief Medical Examiner or anyone acting under the Chief  
13 Medical Examiner's authority.

14           No funeral establishment or person licensed under this Article shall permit the taking  
15 or recovery of human tissue from a dead human body in its custody or control for  
16 human transplantation purposes or for research purposes. No funeral establishment or  
17 any of its licensees, agents, or employees shall accept, solicit, or offer to accept any  
18 payment, gratuity, commission, or compensation of any kind for referring potential  
19 tissue donors to a tissue bank or tissue broker or to an eye bank or eye broker. For  
20 purposes of this subsection, the term "tissue" does not include an eye."

21           **SECTION 2.** This act is effective when it becomes law and applies to deaths  
22 occurring on and after that date.