GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 1999

SESSION LAW 1999-166
SENATE BILL 871

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 ~~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.

s/ Marc Basnight
President Pro Tempore of the Senate

s/ James B. Black
Speaker of the House of Representatives

s/ James B. Hunt, Jr.
Governor

Approved 5:37 p.m. this 8th day of June, 1999