

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2009

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HOUSE BILL 76  
Committee Substitute Favorable 4/1/09  
Committee Substitute #2 Favorable 4/8/09  
PROPOSED SENATE COMMITTEE SUBSTITUTE H76-PCS50949-TD-98

Short Title: Honor Wishes of Members of Military/Remains.

(Public)

Sponsors:

Referred to:

February 9, 2009

1 A BILL TO BE ENTITLED  
2 AN ACT TO ALLOW A MEMBER OF THE MILITARY TO DESIGNATE THE TYPE,  
3 PLACE, AND METHOD OF DISPOSITION OF THE INDIVIDUAL'S REMAINS BY  
4 COMPLETING THE UNITED STATES DEPARTMENT OF DEFENSE RECORD OF  
5 EMERGENCY DATA, DD FORM 93, OR ITS SUCCESSOR FORM.

6 The General Assembly of North Carolina enacts:

7 **SECTION 1.** G.S. 130A-420(a) reads as rewritten:

8 "(a) An individual at least 18 years of age may authorize the type, place, and method of  
9 disposition of the individual's own dead body by methods in the following order:

- 10 (1) Pursuant to a preneed funeral contract executed pursuant to Article 13D of  
11 Chapter 90 of the General Statutes or pursuant to a cremation authorization  
12 form executed pursuant to Article 13C of Chapter 90 of the General Statutes.  
13 (2) Pursuant to a written will.  
14 (3) Pursuant to a written statement other than a will signed by the individual and  
15 witnessed by two persons who are at least 18 years old.  
16 (4) Pursuant to a health care power of attorney to the extent provided in Article  
17 3 of Chapter 32A of the General Statutes.

18 (a1) An individual at least 18 years of age may ~~also~~ delegate his or her right to dispose of  
19 his or her own dead human body to any person by one of the following methods:

- 20 (1) ~~any~~ Any means authorized in subdivisions (1) through (3) of ~~this~~  
21 ~~subsection~~ subsection (a) of this section.  
22 (2) By completing United States Department of Defense Record of Emergency  
23 Data, DD Form 93, or its successor form. A delegation made by filling out  
24 this form shall only be effective if the individual dies under the  
25 circumstances described in 10 U.S.C. § 1481(a)(1) through (8). A delegation  
26 under this subdivision takes precedence over any of the methods set forth in  
27 this section."

28 **SECTION 2.** This act is effective when it becomes law.



\* H 7 6 - P C S 5 0 9 4 9 - T D - 9 8 \*