



CHANGES TITLE

NORTH CAROLINA GENERAL ASSEMBLY  
AMENDMENT  
House Bill 76

AMENDMENT NO. 1  
(to be filled in by  
Principal Clerk)

H76-ATD-83 [v.4]

Page 1 of 2

Comm. Sub. [YES]  
Amends Title [YES]  
Fourth Edition

Date 6/29, 2010

Senator Dickson

1 moves to amend the bill on page 1, line 5 though page 1, line 28 by rewriting the lines to read:  
2 "EMERGENCY DATA, DD FORM 93, OR ITS SUCCESSOR FORM, AND TO MAKE  
3 CONFORMING CHANGES.

4 The General Assembly of North Carolina enacts:

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

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

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

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

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

30 **SECTION 2.** G.S. 90-210.124(a) reads as rewritten:

31 '(a) The following person, in the priority list below, shall have the right to serve as an  
32 "authorizing agent":



\* H 7 6 - A T D - 8 3 - V - 4 \*

ADOPTED

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- (1) An individual at least 18 years of age may authorize the type, place, and method of disposition of the individual's own dead body by methods ~~in the following order: provided under G.S. 130A-420(a).~~ An individual may delegate his or her right to dispose of his or her own body to any person by one of the methods provided under G.S. 130A-420(a1).
  - a. ~~Pursuant to a preneed funeral contract executed pursuant to Article 13D of Chapter 90 of the General Statutes or pursuant to a cremation authorization form executed pursuant to Article 13C of Chapter 90 of the General Statutes.~~
  - b. ~~Pursuant to a health care power of attorney to the extent provided in Article 3 of Chapter 32A of the General Statutes.~~
  - e. ~~Pursuant to a written will.~~
  - d. ~~Pursuant to a written statement other than a will signed by the individual and witnessed by two persons who are at least 18 years old.~~

...'

**SECTION 3.** G.S. 90-210.63(3a) reads as rewritten:


'(3a) "~~Legal representation~~" "Legal representative" means the person authorized by G.S. 130A-420 who would be otherwise authorized to dispose of the remains of the preneed funeral contract beneficiary.'

**SECTION 4.** This act is effective when it becomes law."

SIGNED   
Amendment Sponsor

SIGNED \_\_\_\_\_  
Committee Chair if Senate Committee Amendment

ADOPTED ✓ 48-0 FAILED \_\_\_\_\_ TABLED \_\_\_\_\_

6-29-10  


**ADOPTED**