

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019

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HOUSE BILL 451
PROPOSED COMMITTEE SUBSTITUTE H451-PCS30385-BP-2

Short Title: Titus's Law.

(Public)

Sponsors:

Referred to:

March 27, 2019

1 A BILL TO BE ENTITLED
2 AN ACT REQUIRING PARENTAL CONSENT PRIOR TO THE DISPOSITION OF FETAL
3 REMAINS.

4 The General Assembly of North Carolina enacts:

5 **SECTION 1.** Article 16 of Chapter 130A of the General Statutes is amended by
6 adding a new section to read:

7 "**§ 130A-421. Parental consent to disposition of fetal remains.**

8 In every instance of unintended fetal death resulting from accidental injury, stillbirth, or
9 miscarriage, the attending physician or individual in charge of the institution where the fetal
10 remains were expelled or extracted shall obtain consent from the mother before the disposal of
11 the fetal remains and shall only dispose of the fetal remains by burial, cremation, or incineration
12 in accordance with applicable laws and regulations. If the mother is unable to give consent, and
13 the father is known and able to be contacted within seven days, the attending physician or
14 individual in charge of the institution where the fetal remains were expelled or extracted shall
15 obtain consent from the father and shall only dispose of the fetal remains by burial, cremation,
16 or incineration in accordance with applicable laws and regulations. If neither the mother nor the
17 father is able to give consent within seven days from the time the remains were expelled or
18 extracted, the fetal remains shall only be disposed of by burial, cremation, or incineration in
19 accordance with applicable laws and regulations. Burial or cremation shall be the only method
20 of disposing of fetal remains that have developed beyond completion of the second trimester of
21 gestation."

22 **SECTION 2.** This act becomes effective January 1, 2020, and applies to the
23 disposition of remains on or after that date.



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