

NORTH CAROLINA GENERAL ASSEMBLY  
1973 SESSION

CHAPTER 873  
HOUSE BILL 1511

AN ACT TO AMEND ARTICLE 7 OF CHAPTER 130 OF THE GENERAL STATUTES SO  
AS TO IMPROVE PROCEDURES FOR MAINTAINING VITAL STATISTICS  
RECORDS REGARDING DEATHS.

The General Assembly of North Carolina enacts:

**Section 1.** G.S. 130-42, as the same appears in the 1973 Cumulative Supplement to Volume 3B of the General Statutes, is rewritten as follows:

"§ 130-42. **Notification-of-death.** — The funeral director or person acting as such who first assumes custody of a dead body or fetus shall submit a notification-of-death on a form prescribed by the State Registrar to the local registrar of the registration district in which death occurred, within 24 hours of taking custody of the body or fetus. Such notification-of-death shall identify the attending physician responsible for medical certification, except that for deaths under the jurisdiction of the medical examiner, the notification shall identify the medical examiner and certify that he has released the body to the funeral director for final disposition."

**Sec. 2.** Article 7 of Chapter 130, as the same appears in the 1973 Cumulative Supplement of Volume 3B of the General Statutes, is hereby amended by adding a new section immediately following G.S. 130-42, and immediately preceding G.S. 130-43, to be numbered G.S. 130-42.1, and to read as follows:

"§ 130-42.1. **Disposal permits; permits for disinterment and reinterment; authorization for cremation.** — (a) The funeral director or person acting as such who first assumes custody of a dead body or fetus which is under the jurisdiction of the medical examiner shall obtain a burial-transit permit signed by the medical examiner prior to final disposition or removal from the State and within five days after death.

(b) No cremation of a body shall be carried out unless an authorization for cremation form is signed by the county medical examiner certifying that he has made inquiry into the cause and manner of death and is of the opinion that no further examination of the same is necessary. Such form shall be furnished by the Office of the Chief Medical Examiner. This provision does not apply to deaths occurring less than 24 hours after birth unless the death falls within the circumstances described in G.S. 130-198.

(c) A permit for disinterment and reinterment shall be required prior to disinterment of a dead body or fetus except as authorized by regulation or otherwise provided by law. Such permit shall be issued by the local registrar to a licensed funeral director, embalmer, or other person acting as such, upon proper application.

(d) No dead body or fetus shall be brought into this State unless accompanied by a burial-transit permit or disposal permit issued under the law of the state in which death or disinterment occurred. Such permit shall be authority for final disposition of the body or fetus in this State.

(e) The local registrar shall issue a burial-transit permit for the removal of a dead body or fetus from this State provided that the requirements of G.S. 130-42 are met, and that the death is not under the jurisdiction of the medical examiner."

**Sec. 3.** G.S. 130-43(c), as the same appears in the 1973 Cumulative Supplement to Volume 3B of the General Statutes, is hereby amended by striking out the language "G.S.

130-45" where the same appears in the last line of that subsection, and substituting therefor the language "G.S. 130-46".

**Sec. 4.** G.S. 130-45, as the same appears in the 1973 Cumulative Supplement to Volume 3B of the General Statutes, is hereby repealed.

**Sec. 5.** G.S. 130-46, as the same appears in the 1973 Cumulative Supplement to Volume 3B of the General Statutes, is hereby rewritten as follows:

"§ 130-46. **Death registration.** — (a) A death certificate for each death which occurs in this State shall be filed with the local registrar of the district in which the death occurred within five days after such death. If the place of death is unknown, a death certificate shall be filed in the registration district in which a dead body is found within five days after such occurrence. If death occurs in a moving conveyance, a death certificate shall be filed in the registration district in which the dead body was first removed from such conveyance.

(b) The funeral director or person acting as such who first assumes custody of a dead body shall file the death certificate. He shall obtain the personal data from the next of kin or the best qualified person or source available. He shall obtain the medical certification of cause of death from the person responsible therefor. He shall then state the facts required relative to the date and place of burial, over his signature and over the signature of the embalmer, if applicable. He shall present the completed certificate to the local registrar or his representative.

(c) The medical certificate shall be made and signed by the physician, if any, who last treated the deceased for the disease which caused death, and such physician shall specify the time in attendance, the time he last saw the deceased alive, and the hour of the day at which death occurred, and he shall further state the cause of death, provided that the death does not fall within the circumstances described in G.S. 130-198. Indefinite and unsatisfactory terms, denoting only symptoms of disease or conditions resulting from disease, will not be held sufficient, and any certificate containing any such indefinite or unsatisfactory terms, as defined by the State Registrar, shall be returned to the physician or person making the medical certificate for correction and more definite statement. In deaths in hospitals or institutions, or of nonresidents, the physician shall supply the information required above, if he is able to do so, and may state where, in his opinion, the disease was contracted.

(d) It shall be the duty of the physician or medical examiner making the medical certification as to the cause of death to complete the medical certification no more than five days after death. The said physician or medical examiner may, in appropriate cases, designate the cause of death as unknown pending an autopsy or upon some other reasonable cause for delay, but shall send the supplementary information to the local registrar as soon as it is obtained.

(e) In the case of death or fetal death without medical attendance, it shall be the duty of the funeral director, or person acting as such, and any other person having knowledge of such death, to notify the local medical examiner of such death. No disposition or removal of such body shall be carried out without the permission of the medical examiner. If there is no local medical examiner, the Chief Medical Examiner shall be notified."

**Sec. 6.** G.S. 130-47, as the same appears in the 1973 Cumulative Supplement to Volume 3B of the General Statutes, is hereby repealed.

**Sec. 7.** G.S. 130-202.1, as the same appears in the 1973 Cumulative Supplement to Volume 3B of the General Statutes, is hereby amended by striking out the language "required for a burial-transit permit", where the same appears in lines 5 and 6 of subsection (a) and by striking out the language "burial-transit permit for cremation of a body shall be issued by the local registrar charged therewith and no", where the same appears in lines 1 and 2 of subsection (c).

**Sec. 8.** This act shall become effective on January 1, 1975.

In the General Assembly read three times and ratified, this the 19th day of February, 1974.