

NORTH CAROLINA GENERAL ASSEMBLY
1977 SESSION

CHAPTER 748
HOUSE BILL 1124

AN ACT TO AMEND ARTICLE 24A OF CHAPTER 58 OF THE GENERAL STATUTES
RELATING TO MUTUAL BURIAL ASSOCIATIONS.

The General Assembly of North Carolina enacts:

Section 1. Article 13(b) of G.S. 58-241.9, as the same appears in the 1975 Supplement to Volume 2B of the General Statutes, is amended by striking from the third sentence thereof, beginning in line 10, the words "plus any amount of the thirty percent (30%) allowed from and after that date for operating expenses as set forth in paragraph (a) above and not actually expended in the year allowed.", and by placing a period after the word "date" in line 10 thereof.

Sec. 2. Article 10 of G.S. 58-241.9, as the same appears in the 1975 Supplement to Volume 2B of the General Statutes, is amended by rewriting the second and third sentences of the first paragraph thereof as follows: "Upon the death of any member, it shall be the duty of the person or persons making the funeral arrangements for such deceased member to notify the secretary of the member's burial association of the death of such member. The person or persons making the funeral arrangements for such deceased member shall have 30 days from the date of the death of such member in which to make demand upon the burial association for the funeral benefits to which such member is entitled."

Sec. 3. G.S. 58-241.11, as the same appears in the 1975 Supplement to Volume 2B of the General Statutes, is amended by rewriting the third sentence thereof to read as follows: "Thereafter, the Burial Association Administrator shall assess each burial association fifty dollars (\$50.00) and shall pro rate the remaining amount of this budget, over and above any other funds made available to him for this purpose, and assess each association on a pro rata basis in accordance with the number of members of each association."

Sec. 4. The Burial Association Administrator shall have authority to examine all records relating to a burial association's financial condition wherever such records are located, including records maintained by any corporation, building and loan association, savings and loan association, credit union, or other legal entity organized and operating pursuant to the authority contained in Chapters 53 and 54 of the General Statutes.

Sec. 5. Whenever in the opinion of the Burial Association Administrator he deems it necessary for the protection of the interest of members of a burial association, he shall have authority by written order to direct that the funds of any burial association on deposit in any institution organized and operating under Chapters 53 and 54 of the General Statutes be frozen and not paid out by such legal entity. Any legal entity freezing the funds of a burial association pursuant to the directive of the Burial Association Administrator shall not be liable to any burial association for freezing said account pursuant to the order of the administrator.

Sec. 6. Article 4 of G.S. 58-241.9, as the same appears in the 1975 Supplement to Volume 2B of the General Statutes, is amended by striking the words "three times" in line 2 of the second paragraph and substituting in lieu thereof the word "once". Said paragraph is further amended by striking the word "three" in lines 4 and 5 and substituting the word "one" and by striking the letter "s" in the word "audits" in line 5 thereof.

Sec. 7. This act shall become effective upon ratification.

In the General Assembly read three times and ratified, this the 27th day of June, 1977.