

NORTH CAROLINA GENERAL ASSEMBLY
1981 SESSION

CHAPTER 989
HOUSE BILL 1276

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. G.S. 58-241.7(2)(b) is rewritten to read:

"A vacancy occurring on the Commission after December 31, 1976, because of the expiration of the term of a Commission member, (other than the Commission member appointed by the Governor, as hereinafter provided), shall be selected by the submission by the North Carolina Mutual Burial Association Commission of the names of two persons. Those names shall be submitted on a printed ballot to each Burial Association operator in the State and no Burial Association operator shall be entitled to more than one vote."

Sec. 2. G.S. 58-241.7(2)(a), (2)(c), and (3) are repealed.

Sec. 3. G.S. 58-241.7(2)(d) is rewritten to read:

"A vacancy occurring on the Commission after December 31, 1976, because of the resignation, death or removal for cause of a member of the Commission (other than the Commission member appointed by the Governor as hereinafter provided), shall be filled within 90 days of the date of the occurrence of the vacancy by the selection of two names by the North Carolina Mutual Burial Association Commission and the submission of those names for voting on a printed ballot to each Burial Association operator in the State, and no Burial Association operator shall be entitled to more than one vote."

Sec. 4. G.S. 58-241.9, Article 2, is amended by adding at the end thereof the following:

"Provided, further, that Mutual Burial Associations organized and operating pursuant to this Article may offer for sale to its members in good standing, funeral benefits payable only in cash in excess of two hundred dollars (\$200.00), but those sales shall be subject to all applicable insurance laws of this State and shall in no manner be subject to the provisions of this Article or impair whatsoever funds heretofore or hereafter collected and held by that Association pursuant to this Article. All mutual burial association policies heretofore or hereafter sold in this State in an amount of two hundred dollars (\$200.00) or less shall continue to be administered by the Burial Association Administrator and shall be subject to all provisions of this Article."

Sec. 5. Any mutual burial association or insurance company operating pursuant to the laws of any state of the United States other than North Carolina, shall have the authority to purchase the assets of, to merge or consolidate with a North Carolina chartered mutual burial association provided the foreign mutual burial association or insurance company complies with all laws of North Carolina, including Chapter 58 of the General Statutes, if an insurance company, applicable to the purchase, merger or consolidation of corporations and provided that the purchasing, merging or consolidating foreign mutual burial association or insurance company complies with rules promulgated by the North Carolina Mutual Burial Association Commission to protect the interest of members of the North Carolina Burial Associations (the authority for that promulgation being given by this act) prior to the purchase, merger or consolidation of a North Carolina Mutual Burial Association.

Sec. 6. G.S. 58-241.11 is amended by striking the phrase "fifty dollars (\$50.00)" and substituting the phrase "one hundred dollars (\$100.00)".

Sec. 7. Section 6 of this act shall become effective July 1, 1981. The remaining sections are effective upon ratification.

In the General Assembly read three times and ratified, this the 9th day of October, 1981.