

April 9, 2009

H 1437. IMMUNITY/CIVIL LIABILITY/FUNERAL DIRECTORS. Filed 4/9/09. *ESTABLISHING IMMUNITY FROM CIVIL LIABILITY FOR FUNERAL DIRECTORS UNDER THE LAWS REGULATING THE PRACTICE OF FUNERAL SERVICE.*

Adds new GS 90-210.29C providing that no person licensed or permitted to practice funeral service, funeral directing, or embalming is liable for refusing to accept or dispose of a dead body until receiving a court order to do so if (1) the person is aware of any dispute concerning disposition of the body, (2) has reasonable basis to question whether the person seeking to dispose of the body is authorized to do so, (3) or has any other lawful reason for refusing to accept or dispose of the body. Also provides that such a person is immune from liability if the person (1) disposes of a dead human body in accordance with a court order that has not been stayed or (2) disposes of the body in accordance with other statutory provisions. The limitation of liability does not apply to dispositions pursuant to preneed funeral contracts executed under Article 13D of GS Chapter 90.

Intro. by Boles.

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