

1 Section 1. Effective January 1, 1998, the authority, powers, duties, and
2 functions vested in the North Carolina Mutual Burial Association Commission and in the
3 Burial Association Administrator by Part 13 of Article 10 of Chapter 143B of the General
4 Statutes are transferred to the North Carolina Board of Mortuary Science, created by
5 Article 13A of Chapter 90 of the General Statutes, and the North Carolina Mutual Burial
6 Association Commission is abolished. All records, property, and unexpended balances of
7 funds of the North Carolina Mutual Burial Association Commission and the Burial
8 Association Administrator are transferred in their entirety to the Board of Mortuary
9 Science. On and after January 1, 1998, the Board of Mortuary Science shall be
10 responsible for the administration of Part 13 of Article 10 of Chapter 143B of the General
11 Statutes.

12 Section 2. Effective January 1, 1998, G.S. 143B-472 and G.S. 143B-472.1 are
13 repealed.

14 Section 3. Effective January 1, 1998, G.S. 143B-472.2 reads as rewritten:

15 "**§ 143B-472.2. Duties of Commission; Board; meetings; meetings. Burial
16 Administrator; secretary.**

17 It shall be the duty of the ~~North Carolina Mutual Burial Association Commission~~ North
18 Carolina Board of Mortuary Science to supervise, pursuant to this Article, all burial
19 associations authorized by this Article to operate in North Carolina, to determine that
20 such associations are operated in conformity with this Article and the rules ~~and regulations~~
21 adopted pursuant to this Article; to assist the Burial Association Administrator with
22 prosecution of violations of this Article or rules ~~and regulations~~ adopted pursuant thereto;
23 ~~to counsel with and advise the Burial Association Administrator in the performance of his duties~~
24 and to protect the interest of members of mutual burial associations.

25 ~~The North Carolina Mutual Burial Association Commission,~~ The North Carolina Board of
26 Mortuary Science, after a public hearing, may promulgate reasonable rules and
27 regulations for the enforcement of this Article and in order to carry out the intent thereof.
28 The ~~Commission~~ Board is authorized and directed to adopt specific rules ~~and regulations~~ to
29 provide for the orderly transfer of a member's benefits in cash or merchandise and
30 services from the funeral director sponsoring the member's association to the funeral
31 establishment which furnishes a funeral service, or merchandise, or both, for the burial of
32 the member, provided that any funeral establishment to which the member's benefits are
33 transferred in accordance with such rules ~~and regulations~~ shall, if located in North
34 Carolina, be a funeral establishment registered and permitted under the provisions of ~~G.S.~~
35 ~~90-210.17~~ G.S. 90-210.25 or shall, if located in any other state, territory or foreign
36 country, be a funeral establishment recognized by and operating in conformity with the
37 laws of such other state, territory or foreign country. One or more burial associations
38 operating in North Carolina may merge into another burial association operating in North
39 Carolina and two or more burial associations operating in North Carolina may
40 consolidate into a new burial association provided that any such plan of merger or plan of
41 consolidation shall be adopted and carried out in accordance with rules ~~and regulations~~
42 adopted by the ~~Commission~~ Board pursuant to this Article.

1 All rules and regulations heretofore adopted by the Burial Association Administrator or
2 the Mutual Burial Association Commission in accordance with prior law and which have
3 not been amended, rescinded, revoked or otherwise changed, or which have not been
4 nullified or made inoperative or unenforceable because of any statute enacted after the
5 adoption of any such rule, shall remain in full force and effect until amended, rescinded,
6 revoked or otherwise changed by action of the ~~Burial Association Commission~~ North
7 Carolina Board of Mortuary Science as set out above, or until nullified or made
8 inoperative or unenforceable because of statutory enactment or court decision.

9 ~~The Commission shall elect its own chairman, who shall vote only when the~~
10 ~~Commission is evenly divided.~~

11 ~~The Commission shall hold regular meetings at least twice each year, and more often~~
12 ~~if called by the chairman in Raleigh, or such place in North Carolina as the chairman may~~
13 ~~direct. Special meetings of the Commission may also be called in Raleigh or such other~~
14 ~~place in North Carolina as they may direct, by a majority of the Commission.~~

15 ~~The Burial Association Administrator shall serve as secretary of the Commission and~~
16 ~~shall keep minutes of all regular and special meetings.~~

17 ~~All regular or special meetings of the Commission, unless a majority of the members~~
18 ~~of the Commission vote otherwise, shall be open to the public. All regular meetings shall~~
19 ~~be advertised in at least three newspapers having intercounty circulation in North~~
20 ~~Carolina.~~

21 ~~Members of the Commission Board shall receive, when attending such regular or~~
22 ~~special meetings such per diem, expense allowance and travel allowance as are allowed~~
23 ~~other commissions and boards of the State. The legal adviser to the Commission Board~~
24 ~~shall be entitled to actual expenses when attending regular or special meetings of the~~
25 ~~Commission Board held other than in Raleigh. All expenses of the Commission Board~~
26 ~~shall be paid from funds coming to the Administrator Board pursuant to this Article.~~
27 ~~Article or appropriated for this purpose."~~

28 Section 4. G.S. 143B-472.3 reads as rewritten:
29 **"§ 143B-472.3. Requirements as to rules and bylaws.**

30 All burial associations now operating within the State of North Carolina, and all burial
31 ~~associations hereafter organized and operating within the State of North Carolina~~ Carolina shall
32 have and maintain rules and bylaws embodying the following:

33 Article 1. The name of this association shall be, which shall indicate that said
34 association is a mutual burial association.

35 Article 2. The objects and purposes for which this association is formed and the
36 purposes for which it has been organized, and the methods and plan of operation of this
37 association shall be to provide a plan for each member of this association for the payment
38 of one funeral benefit for each member, which shall consist of a funeral benefit in cash or
39 merchandise and service, with no free embalming or free ambulance service included in
40 this benefit. No other free service or any other thing free shall be held out, promised or
41 furnished, in any case. Such funeral benefit shall be in the amount of one hundred dollars
42 (\$100.00) of cash or merchandise and service, without free embalming or free ambulance
43 service, for persons of the age of 10 years and over, or in the amount of fifty dollars

1 (\$50.00) for persons under the age of 10 years; provided, however, that any member of
2 this association of the age of 10 years or more may purchase a double benefit (for a total
3 benefit of two hundred dollars (\$200.00)), and provided further, however, that any
4 member of this association under the age of 10 years may purchase a double benefit (for a
5 total benefit of one hundred dollars (\$100.00)) or a quadruple benefit (for a total benefit
6 of two hundred dollars (\$200.00)); however, any additional benefit (as set out herein)
7 shall be based on the assessment rate, as provided in Article 6 of this section, at the
8 attained age of applicant at the time the additional benefit takes effect. The purchase of
9 an additional benefit shall not be available to any member who cannot fulfill the
10 requirements as set forth in Article 3 of this section.

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

20 Article 3. Any person who has passed his or her first birthday, and who has not
21 passed his or her sixty-fifth birthday, and who is in good health and not under treatment
22 of any physician, nor confined in any institution for the treatment of mental or other
23 disease, may become a member of this burial association by the payment by such person,
24 or for such person, of a membership fee in accordance with the provisions of this Article
25 and the first assessment due on the membership issued for such member in accordance
26 with the provisions of Article 6 herein. The membership fee for any person joining prior
27 to July 1, 1975, is twenty-five cents (25¢). The membership fee of any person joining
28 after July 1, 1975, is twenty-five cents (25¢) for each one hundred dollars (\$100.00) of
29 benefits provided in such membership, with a minimum membership fee of twenty-five
30 cents (25¢). The payment of the membership fee, without the payment of the first
31 quarterly assessment due on the membership, shall not authorize the issuance of a
32 certificate of membership in this burial association, and a certificate of membership for
33 such person shall not be issued until the first such assessment is paid. Any member of
34 this association joining after July 1, 1975, and who shall thereafter purchase an increased
35 benefit shall pay an additional membership fee in accordance with this Article so that the
36 total membership fee paid by such person shall equal twenty-five [cents] (25¢) for each
37 one hundred dollars (\$100.00) of benefits in such member's membership; provided, that
38 any member with a fifty-dollar (\$50.00) benefit who increases his benefit from fifty
39 dollars (\$50.00) to one hundred dollars (\$100.00) shall not be required to pay any
40 additional membership fee. The payment of any additional membership fee, without the
41 payment of the first additional assessment due for the increased benefit, shall not make
42 such member eligible for any additional benefit, and such member shall not be eligible
43 for any additional benefit until the first such additional assessment due for such

1 additional benefit is paid. Notwithstanding the foregoing, the provisions of the last
2 paragraph of Article 6, hereinafter set out, shall control the increase of benefits from fifty
3 dollars (\$50.00) to one hundred dollars (\$100.00) for any member of this association
4 joining under the age of 10 whose benefits in force upon such member attaining his or her
5 tenth birthday are in the amount of fifty dollars (\$50.00).

6 Applicant's birthday must be written in the application and subject to verification by
7 any record the Burial Association Administrator may deem necessary to prove or
8 establish a true date of the birth of any applicant.

9 Article 4. The annual meeting of the association shall be held at (here insert the
10 place, date and hour); each member shall have one vote at said annual meeting and 15
11 members of the association shall constitute a quorum. There shall be elected at the
12 annual meeting of said association a board of directors of seven members, each of whom
13 shall serve for a period of from one to five years as the membership may determine and
14 until his or her successor shall have been elected and qualified. Any member of the
15 board of directors who shall fail to maintain his or her membership, as provided in the
16 rules and bylaws of said association, shall cease to be a member of the board of directors
17 and a director shall be appointed by the president of said association for the unexpired
18 term of such disqualified member. There shall be at least an annual meeting of the board
19 of directors, and such meeting shall be held immediately following the annual meeting of
20 the membership of the association. The directors of the association may, by a majority
21 vote, hold other meetings of which notice shall be given to each member by mailing such
22 notice five days before the meeting to be held. At the annual meetings of the directors of
23 the association, the board of directors shall elect a president, a vice-president, and a
24 secretary-treasurer. The president and vice-president shall be elected from among the
25 directors, but the secretary-treasurer may be selected from the director membership or
26 from the membership of the association, it being provided that it is not necessary that the
27 secretary-treasurer shall be a member of the board of directors. Among other duties that
28 the secretary-treasurer may perform, he shall be chargeable with keeping an accurate and
29 faithful roll of the membership of this association at all times and he shall be chargeable
30 with the duty of faithfully preserving and faithfully applying all moneys coming into his
31 hands by virtue of his said office. The president, vice-president and secretary-treasurer
32 shall constitute a board of control who shall direct the affairs of the association in
33 accordance with these Articles and bylaws of the association, and subject to such
34 modification as may be made or authorized by an act of the General Assembly. The
35 secretary-treasurer shall keep a record of all assessments made, dues collected and
36 benefits paid. The books of the association, together with all records and bank accounts
37 shall be at all times open to the inspection of the Burial Association Administrator or his
38 duly constituted auditors or representatives. It shall be the duty of the secretary or
39 secretary-treasurer of each association to keep the books of the association posted up-to-
40 date so that the financial standing of the association may be readily ascertained by the
41 Burial Association Administrator or any auditor or representative employed by him.
42 Upon the failure of any secretary or secretary-treasurer to comply with this provision, it
43 shall be the duty of the Burial Association Administrator to take charge of the books of

1 the association and do whatever work is necessary to bring the books up-to-date. The
2 actual costs of said work may be charged the burial association and shall be paid from the
3 thirty percent (30%) allowed by law for the operation of the burial association.

4 Whenever in the opinion of the Burial Association Administrator, it is necessary to
5 audit the books of any burial association more than once in any calendar year, the Burial
6 Association Commission shall have authority to assess such burial association the actual
7 cost of any audit in excess of one per calendar year, provided that no more than one audit
8 may be deemed necessary unless a discrepancy exists at the last regular audit. Such cost
9 shall be paid from the thirty percent (30%) allowed by law for the operation of the burial
10 association.

11 Every burial association shall file with the North Carolina Mutual Burial Association
12 Commission an annual report of its financial condition on a form furnished to it by the
13 North Carolina Burial Association Administrator. Such report shall be filed on or before
14 February 15 of each calendar year and shall cover the complete financial condition of the
15 burial association for the immediate preceding calendar year. The Burial Association
16 Commission shall levy and collect a penalty of twenty-five dollars (\$25.00) for each day
17 after February 15 that the report called for herein is not filed. The Commission may, in
18 its discretion, grant any reasonable extension of the above filing date without the penalty
19 provided in this section. Such penalty shall be paid from the thirty percent (30%)
20 allowed by law for the operation of the burial association. Any secretary or secretary-
21 treasurer who fails to file such financial report on or before February 15 of each calendar
22 year or on or before the last day of any period of extension for the filing of such report
23 granted by the Commission to the burial association of such secretary or secretary-
24 treasurer shall be guilty of a Class 3 misdemeanor. Each day after February 15, or the
25 last day of any period of extension for the filing of the report granted by the Commission
26 to the burial association of such secretary or secretary-treasurer, that said report is not
27 filed by the secretary or secretary-treasurer of a burial association, shall constitute a
28 separate offense.

29 Article 5. Upon the death of any officer, his successor shall be elected by the board of
30 directors for the unexpired term. The president, vice-president and secretary-treasurer
31 shall be elected for a term of from one to five years, and shall hold office until his
32 successor is elected and qualified, subject to the power of the board of directors to
33 remove any officer for good cause shown; provided, that any officer removed by the
34 board of directors shall have the right of appeal to the membership of the association,
35 such appeal to be heard at the next ensuing annual meeting of said membership.

36 Article 6. Each member shall be assessed according to the following schedule for the
37 benefit indicated (or in multiples thereof for additional benefit) at the age of entry of the
38 member.

39 **ASSESSMENT RATE FOR AGE GROUPS:**

40 First to tenth birthday

41 (\$50.00) benefit

five cents (5¢)

42 Tenth to thirtieth birthday

43 (\$100.00) benefit

ten cents (10¢)

1 Thirtieth to fiftieth birthday
2 (\$100.00) benefit twenty cents (20¢)

3 Fiftieth to sixty-fifth birthday
4 (\$100.00) benefit thirty cents (30¢)

5 (Ages shall be defined as having passed a certain birthday instead of nearest birthday.)

6 Assessment shall always be made on the entire membership in good standing.

7 Any member joining under the age of 10 shall, upon attaining his or her tenth
8 birthday, pay thereafter the assessment for a member age 10 as set out above.

9 Any member joining under the age of 10 whose benefits in force upon such member
10 attaining his or her tenth birthday are in the amount of fifty dollars (\$50.00) shall, if such
11 member is in good standing upon attaining his or her tenth birthday, thereafter have
12 benefits in force in the amount of one hundred dollars (\$100.00) without the necessity of
13 making application for such increased benefit. Assessments made thereafter for such
14 member shall be the same as an assessment for a member age 10 as set out above. Such
15 one-hundred-dollar (\$100.00) benefit shall be in full force and effect for any such
16 member in good standing immediately upon such member attaining his or her tenth
17 birthday even though the increased assessment provided for herein shall not yet be due
18 and payable, it being the intent of this Article that, notwithstanding any other provisions
19 in these Articles, any member in good standing with a fifty-dollar (\$50.00) benefit shall
20 immediately upon attainment of his or her tenth birthday have a one-hundred-dollar
21 (\$100.00) benefit in force whether or not the increased assessment is then due and
22 payable by such member in accordance with the assessment period of this association.

23 Article 7. No benefit will be paid for natural death occurring within 30 days from the
24 date of the certificate of membership, which certificate shall express the true date such
25 person becomes a member of this association, and the certificate issued shall be in
26 acknowledgment of membership in this association. Benefits will be paid for death
27 caused by accidental means occurring any time after date of membership certificate. No
28 benefits will be paid in case of suicidal death of any member within one year from the
29 date of the membership certificate. No agent or other person shall have authority to issue
30 membership certificates in the field, but such membership certificates shall be issued at
31 the home office of the association by duly authorized officers: the president, vice-
32 president or secretary, and a record thereof duly made.

33 Article 8. Any member failing to pay any assessment within 30 days after notice shall
34 be in bad standing, and unless and until restored, shall not be entitled to benefits. Notice
35 shall be presumed duly given when mailed, postage paid, to the last known address of
36 such members: Provided, moreover, that notice to the head of a family shall be construed
37 as notice to the entire membership of such family in said association. Any member or
38 head of a family changing his or her address shall give notice to the secretary-treasurer in
39 writing of such change, giving the old address as well as the new, and the head of a
40 family notifying the secretary-treasurer of change in address shall list with the secretary
41 in such notice all the members of his or her family having membership in said
42 association. Any member in bad standing may, within 90 days after the date of an
43 assessment notice, be reinstated to good standing by the payment of all delinquent dues

1 and assessments: Provided such person shall at the same time submit to the secretary-
2 treasurer satisfactory evidence of good health, in writing, and no benefit will be paid for
3 natural death occurring within 30 days after reinstatement. In case of death caused by
4 accidental means, benefit will be in force immediately after reinstatement. Any person
5 desiring to discontinue his membership for any reason shall communicate such desire to
6 the secretary-treasurer immediately and surrender his or her certificate of membership.
7 Any adult member who is the head of a family and who, with his family, has become in
8 bad standing, shall furnish to the secretary-treasurer satisfactory evidence of the good
9 health of each member desired to be reinstated in writing.

10 Article 9. The benefits herein provided are for the purpose of furnishing a funeral and
11 burial benefit, in cash or merchandise and service, for a deceased member. The funeral
12 and burial benefit, if furnished in merchandise and service, shall be in keeping with and
13 similar to the merchandise and service sold and furnished at the same price by reputable
14 funeral directors of this or other like communities.

15 Article 10. It is understood and stipulated that the benefits provided for shall be
16 payable only to a funeral establishment which provides a funeral service for a deceased
17 member and which, if located in North Carolina, is a funeral establishment registered
18 under the provisions of G.S. 90-210.17 or which, if located in any other state, territory or
19 foreign country, is a funeral establishment recognized by and operating in conformity
20 with the laws of such other state, territory or foreign country. Upon the death of any
21 member, it shall be the duty of the person or persons making the funeral arrangements for
22 such deceased member to notify the secretary of the member's burial association of the
23 death of such member. The person or persons making the funeral arrangements for such
24 deceased member shall have 30 days from the date of the death of such member in which
25 to make demand upon the burial association for the funeral benefits to which such
26 member is entitled.

27 The benefits provided for are to be paid by the burial association to the funeral
28 director providing such funeral and burial service either in cash or in merchandise and
29 service as elected by the person or persons making the funeral arrangements for such
30 deceased member. If the burial association shall fail, on demand, to provide the benefits
31 to which the deceased member was entitled to the funeral establishment which provided
32 the funeral service for the deceased member, then the benefits shall be paid in cash to the
33 representative of the deceased member qualified under law to receive such benefits.

34 Article 11. Assessments shall be made as provided in G.S. 143B-472.18. Whenever
35 possible, assessments will be made at definitely stated intervals so as to reduce the cost of
36 collection and to prevent lapse.

37 Article 12. In the event the proceeds of the annual assessments imposed on the entire
38 membership for one year, as provided in G.S. 143B-472.18, do not prove sufficient at any
39 time to yield the benefit provided for in these bylaws, then the secretary-treasurer shall
40 notify the North Carolina Burial Association Administrator who shall be authorized,
41 unless the membership is increased to that point where such assessments are sufficient, to
42 cause liquidation of said association, and may transfer all members in good standing to a
43 like organization or association.

1 Article 13. (a) All legitimate operating expenses of the association shall be paid out
2 of the assessments, but in no case shall the entire expenses exceed thirty percent (30%) of
3 the total of the assessments collected and the investment income of the burial association
4 in one calendar year.

5 (b) Each burial association shall establish and maintain a reserve account for the
6 payment of member's benefits. On the thirty-first day of December following July 1,
7 1975, each burial association shall transfer to such burial association's reserve account
8 established in accordance with this Article all funds which such burial association is
9 maintaining on that date in an account designated by such burial association as either a
10 surplus account or a reserve account. Thereafter, beginning on January 1, 1976, each
11 burial association shall place in such reserve account five percent (5%) of the
12 assessments collected from and after that date and five percent (5%) of the investment
13 income of the association earned from and after that date. These sums shall continue to
14 be placed in the association's reserve account until the association's reserve account shall
15 equal twenty-one dollars (\$21.00) per member. Thereafter if the reserve account shall
16 fall below twenty-one dollars (\$21.00) per member, such sums shall again be deposited in
17 the account until such time as the reserve account shall again be equal to twenty-one
18 dollars (\$21.00) per member. If the reserve account shall at any time exceed twenty-one
19 dollars (\$21.00) per member, amounts in excess of twenty-one dollars (\$21.00) per
20 member may be withdrawn from the reserve account.

21 Article 14. Special meetings of the association membership may be called by the
22 secretary-treasurer when by him deemed necessary or advisable, and he shall call a
23 meeting when petitioned to do so by sixty-six and two-thirds percent (66 2/3%) of the
24 members of said association who are in good standing.

25 Article 15. The secretary-treasurer shall, upon satisfactory evidence that membership
26 was granted to any person not qualified at the time of entry as provided under Article 3 of
27 these bylaws, refund any amounts paid as assessment, and shall remove the name from
28 the membership roll.

29 Article 16. Any member may pay any number of assessments in advance, in which
30 case such member will not be further assessed until a like number of assessments shall
31 have been levied against the remaining membership.

32 Article 17. No person may maintain active membership in two or more separate
33 burial associations. Any person who is found to have membership in two or more
34 separate burial associations shall forfeit all benefits and fees paid in all associations of
35 which he is a member except in the association which he first joined and of which he is
36 still then a member. A person is not a member of an association for purposes of this
37 Article if he has discontinued his membership in such association or if such association
38 has been placed in liquidation.

39 Article 18. Each year, before the annual meeting of the membership of this
40 association, the association shall cause to be published in a newspaper of general
41 circulation in the county in which such association has its principal place of business, or
42 shall cause to be mailed to each member in good standing a statement showing total

1 income collected, expenses paid and burial benefits provided for by such association
2 during the next preceding year.

3 Article 19. These rules and bylaws shall not be modified, canceled or abridged by
4 any association or other authority except by act of the General Assembly of North
5 Carolina."

6 Section 5. Effective January 1, 1998, the phrases "North Carolina Mutual
7 Burial Association Commission", "Mutual Burial Association Commission", and "Burial
8 Association Administrator" are deleted and then replaced by the phrase "Board of
9 Mortuary Science" wherever they occur in Part 13 of Article 10 of Chapter 143B of the
10 General Statutes. The words "Commission" and "Administrator" are deleted and then
11 replaced by the word "Board" wherever they occur in Part 13 of Article 10 of Chapter
12 143B of the General Statutes.

13 Section 6. Effective January 1, 1998, the pronouns "he" and "his", when
14 referring to the Burial Association Administrator, are deleted wherever they occur in Part
15 13 of Article 10 of Chapter 143B of the General Statutes and are replaced, respectively,
16 by the pronouns "it" and "its".

17 Section 7. (a) Effective January 1, 1998, references in the Session Laws to the
18 North Carolina Mutual Burial Association Commission or the Burial Association
19 Administrator shall be deemed to refer to the Board of Mortuary Science. Every Session
20 Law that refers to the North Carolina Mutual Burial Association Commission or the
21 Burial Association Administrator and that relates to any power, duty, function, or
22 obligation of the Commission or the Administrator that continues in effect after the
23 provisions of this act become effective shall be construed in a manner consistent with this
24 act.

25 (b) The Revisor of Statutes may, on and after the effective date of this act, correct
26 any reference or citation in the General Statutes that is amended by this act by deleting
27 incorrect references and substituting correct references.

28 (c) The Revisor of Statutes may, on and after the first day of January 1998, delete
29 any reference to the North Carolina Mutual Burial Association Commission or to the
30 Burial Association Administrator in any portion of the General Statutes to which
31 conforming amendments are not made by this act and substitute, as appropriate and
32 consistent with this act, any of the following terms: North Carolina Board of Mortuary
33 Science, Board of Mortuary Science, or Board.

34 Section 8. Every act of the North Carolina Mutual Burial Association
35 Commission and the Burial Association Administrator that occurred prior to the date this
36 act becomes law or to the date that provisions of this act become effective, and which is
37 otherwise valid, continues to be valid and effective, notwithstanding any change in name
38 or transfer of authority, powers, duties, and functions by this act.

39 Section 9. This act is effective when it becomes law.