

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2007

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HOUSE BILL 1400

Short Title: Tissue Bank Referrals/Funeral Directors. (Public)

Sponsors: Representatives Holloway, Faison (Primary Sponsors); Folwell, Frye, and Hilton.

Referred to: Health, if favorable, Judiciary III.

April 12, 2007

A BILL TO BE ENTITLED

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2 AN ACT TO PROVIDE THAT FUNERAL ESTABLISHMENTS MAY NOT
3 PERMIT THE RECOVERY OF HUMAN TISSUE FROM A DEAD HUMAN
4 BODY WITHOUT PRIOR AUTHORIZATION OF THE DECEASED OR
5 PERMISSION OF THE DECEASED INDIVIDUAL'S FAMILY AND MAY NOT
6 COLLECT A FEE FOR REFERRING POTENTIAL TISSUE DONORS TO A
7 TISSUE BANK.

8 The General Assembly of North Carolina enacts:

9 **SECTION 1.** G.S. 90-210.25 is amended by adding the following new
10 subsection to read:

11 "(e1) A funeral establishment may permit recovery of human tissue from a dead
12 human body in its custody and control only if authorized by a writing executed by the
13 deceased prior to death and in effect at the time of death, or, if no writing exists, by an
14 immediate family member of the deceased. No funeral establishment may charge or
15 collect a fee from a tissue bank or tissue broker for referring potential tissue donors to
16 the tissue bank or tissue broker or for permitting recovery as authorized under this
17 section."

18 **SECTION 2.** This act is effective when it becomes law and applies to deaths
19 occurring on and after that date.