



HOUSE BILL 455: Increase Funeral Expense Allowance.

2017-2018 General Assembly

Committee:	House Judiciary I. If favorable, re-refer to Finance	Date:	April 25, 2017
Introduced by:	Reps. B. Richardson, Alexander	Prepared by:	Jason Moran-Bates
Analysis of:	First Edition		Committee Co-Counsel

OVERVIEW: *House Bill 455 would increase the amount of funeral expenses payable as second-class claims against a decedent's estate from \$3,500 to \$6,000.*

CURRENT LAW: Under G.S. 28A-19-6, claims against decedents' estates are divided into classes from first to ninth and are paid out in class order. Funeral expenses up to \$3,500, not including burial place and headstone, are second class claims. Under current law, they are paid from an estate after costs of administration and claims of creditors secured by liens on specific property. The amount is not diminished by any Veteran's Administration or other federal benefits paid to the estate. Funeral expenses in excess of \$3,500 are included in ninth-class claims and are paid last.

BILL ANALYSIS: House Bill 455 would amend G.S. 28A-19-6(a) to raise the amount of funeral expenses comprising a second-class claim against an estate from \$3,500 to \$6,000.

EFFECTIVE DATE: This bill would be effective October 1, 2017, and apply to estates of decedents dying on or after that date.

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Legislative Analysis
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