



**This Bill Analysis reflects the contents of the bill as it was presented in committee.**

# HOUSE BILL 455: Increase Funeral Expense Allowance.

2017-2018 General Assembly

<b>Committee:</b> House Finance	<b>Date:</b> May 16, 2017
<b>Introduced by:</b> Reps. B. Richardson, Alexander	<b>Prepared by:</b> Greg Roney
<b>Analysis of:</b> First Edition	Committee Counsel

**OVERVIEW:** House Bill 455 would increase the amount of funeral expenses paid before unsecured creditors of a decedent from \$3,500 to \$6,000.

**CURRENT LAW:** G.S. 28A-19-6 sets the priority of claims against a decedent's estate where insufficient assets exist to pay all claims in the following order (i.e., lower order claims not paid if insufficient assets):

- Costs of estate administration
- Claims with a specific lien on property limited to the value of the property subject to the lien
- Funeral expenses limited to \$3,500 (excludes burial place and gravestone)
- Burial place and gravestones limited to \$1,500
- Taxes and other claims with preference under the laws of the United States
- Taxes and other claims with preference under the laws of North Carolina
- Enforceable court judgments limited to the value of the property subject to the lien
- Wages due to any employee, medical services within 12 months, drugs and all other medical supplies during the last illness of such decedent occurring within 12 months
- Claim for equitable distribution
- All other claims

**BILL ANALYSIS:** House Bill 455 would amend G.S. 28A-19-6 to increase the amount of funeral expenses paid before unsecured creditors of a decedent from \$3,500 to \$6,000.

**EFFECTIVE DATE:** House Bill 455 would be effective October 1, 2017, and apply to estates of decedents dying on or after that date.

*Jason Moran-Bates with the Legislative Analysis Division substantially contributed to this summary.*

Karen Cochrane-Brown  
Director



Legislative Analysis  
Division  
919-733-2578