

2010 SESSION

INTRODUCED

10103765D

HOUSE BILL NO. 382

Offered January 13, 2010

Prefiled January 12, 2010

A *BILL to amend and reenact § 54.1-2825 of the Code of Virginia, relating to funeral services; burial power of attorney.*

Patron—Sherwood

Referred to Committee on Health, Welfare and Institutions

Be it enacted by the General Assembly of Virginia:

1. That § 54.1-2825 of the Code of Virginia is amended and reenacted as follows:

§ 54.1-2825. Person to make arrangements for disposition of remains.

A. Any person may designate in a signed and notarized writing, which has been accepted in writing by the person so designated, an individual who shall make arrangements for his ~~burial or funeral~~ and the disposition of his remains, including cremation, upon his death. *Such designee shall have priority over all persons entitled to make such arrangements.*

B. *If the decedent died while serving in any branch of the United State Armed Forces as defined in 10 USC § 1481 and completed a U.S. Department of Defense Record of Emergency Data (DD Form 93), or its successor form, the duty to provide funeral and disposition arrangements for the decedent devolves on the person authorized by the decedent on such form.*

C. *Notwithstanding the provisions of subsection A, any contract made by a decedent's next of kin with a funeral establishment or cemetery for the decedent's funeral and burial shall be an obligation of the decedent's estate, to the extent that goods have been provided and services have been rendered without knowledge by the funeral establishment or cemetery of a designation described in subsection A.*

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