

## House Amendments to Senate Bill No. 2599

TO THE SECRETARY OF THE SENATE:

THIS IS TO INFORM YOU THAT THE HOUSE HAS ADOPTED THE AMENDMENTS SET OUT BELOW:

### AMENDMENT NO. 1

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

7        **SECTION 1.** (1) Any pre-need contract which is executed by  
8 the decedent for his own arrangements and is fully funded  
9 overrules, following the decedent's death, the conflicting wishes  
10 of the decedent's next of kin, unless a compelling public interest  
11 makes it impossible to comply with a decedent's directions in a  
12 pre-need contract.

13        (2) The provisions of this section shall not prevent the  
14 decedent's next of kin or surviving heirs at law from, at their  
15 own expense, pursuing reasonable services and making reasonable  
16 arrangements that do not conflict with the decedent's directions  
17 in a pre-need contract.

18        (3) All contract providers shall have the right to rely on  
19 the pre-need contract and perform obligations in accordance with  
20 the pre-need contract. There shall be no liability for any  
21 contract provider who in good faith performs his obligations  
22 pursuant to the pre-need contract, provided the pre-need contract  
23 is in compliance with Section 75-63-51 et seq. and any rules  
24 promulgated thereunder.

25        **SECTION 2.** This act shall take effect and be in force from  
26 and after July 1, 2004.

HR03\SB2599A.J

Don Richardson  
Clerk of the House of Representatives