

GENERAL ASSEMBLY OF NORTH CAROLINA
1985 SESSION

CHAPTER 625
SENATE BILL 468

AN ACT TO PROVIDE THAT EXPENSES FOR A WRONGFUL DEATH ACTION
MAY BE ADVANCED FROM THE DECEDENT'S ESTATE.

The General Assembly of North Carolina enacts:

Section 1. G.S. 28A-18-2(a) is amended by adding after the first sentence the following:

"The personal representative or collector of the decedent who pursues an action under this section may pay from the assets of the estate the reasonable and necessary expenses, not including attorneys' fees, incurred in pursuing the action. At the termination of the action, any amount recovered shall be applied first to the reimbursement of the estate for the expenses incurred in pursuing the action, then to the payment of attorneys' fees, and shall then be distributed as provided in this section."

Sec. 2. This act is effective upon ratification.

In the General Assembly read three times and ratified, this the 5th day of July, 1985.