

21 NCAC 34D .0304 TRANSFER OF TRUST FUNDS

When, pursuant to G.S. 90-210.68(b), a preneed licensee directs a transfer of preneed funds to a substitute financial institution, the preneed license shall direct the financial institution that is a party to the preneed funeral contract (the "original financial institution") to make the transfer directly and solely to the substitute financial institution and not mediate to the preneed licensee. The preneed licensee shall notify the Board within 10 days following said transfer as required by G.S. 90-210.68(b) and said notification shall be made on a form provided by the Board on its website, which shall provide the following information:

- (1) The name, address, and license number of the preneed licensee serving as trustee for the preneed contract, along with the preneed contract identification number prescribed by the Board;
- (2) The name and address of the original financial institution, along with the account number in which the preneed funds are held;
- (3) The name and address of the substitute financial institution, along with the account number into which the preneed funds will be transferred;
- (4) The name of the preneed contract beneficiary and of the preneed contract purchaser and whether the purchaser of the preneed contract has been notified of the intended transfer of preneed funds, if the preneed contract is revocable;
- (5) The dated signature of the preneed licensee attesting to the request to transfer the preneed funds to a substitute financial institution;
- (6) The dated signature of the representative of the original financial institution attesting to its payment of the preneed funds to the substitute financial institution and the amount of preneed funds so transferred; and
- (7) The dated signature of the representative of the substitute financial institution attesting to the amount of preneed funds received from the original financial institution and its receipt of the underlying preneed funeral contract, as well as its agreement to adhere to the provisions of General State Chapter 90, Article 13D, as it pertains to financial institutions.

*History Note: Authority G.S. 90-210.69(a); 90-210.68(b);
Eff. May 1, 1993;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. August 19, 2017;
Amended Eff. February 1, 2026.*