

**Effective 5/8/2018**

**58-9-601 Advance directions.**

- (1) A person may provide written directions, acknowledged before a notary public or executed with the same formalities required of a will under Section 75-2-502, to direct the preparation, type, and place of the person's disposition, including:
  - (a) designating a funeral service establishment;
  - (b) providing directions for burial arrangements;
  - (c) providing directions for cremation arrangements; or
  - (d) providing directions for alkaline hydrolysis arrangements.
- (2) A funeral service director shall carry out the written directions of the decedent prepared under this section to the extent that:
  - (a) the directions are lawful; and
  - (b) the decedent has provided resources to carry out the directions.
- (3) Directions for disposition contained in a will shall be carried out pursuant to Subsection (2) regardless of:
  - (a) the validity of other aspects of the will; or
  - (b) the fact that the will may not be offered or admitted to probate until a later date.
- (4) A person may change or cancel written directions prepared under this section at any time prior to the person's death by providing written notice to all applicable persons, including:
  - (a) if the written directions designate a funeral service establishment or funeral service director, the funeral service establishment or funeral service director designated in the written directions; and
  - (b) if the written directions are contained in a will, the personal representative as defined in Section 75-1-201.

Amended by Chapter 326, 2018 General Session