

144C.8 Forfeiture of authority to control.

A designee or person with the authority to control under [this chapter](#) shall forfeit all rights and authority under a declaration, or by operation of [section 144C.5](#), and all rights and authority under the declaration, or by operation of [section 144C.5](#), shall vest in and devolve upon an alternate designee, or if there is none, vest in and devolve pursuant to [section 144C.5](#), under either of the following circumstances:

1. The designee or person with the authority to control under [this chapter](#) is charged with murder in the first or second degree or voluntary manslaughter in connection with the declarant's death and those charges are known to a third party.

2. The designee or person with the authority to control under [this chapter](#) does not exercise the designee's authority under the declaration within twenty-four hours of receiving notification of the death of the declarant or within forty hours of the declarant's death, whichever is earlier.

[2008 Acts, ch 1051, §13, 22; 2025 Acts, ch 22, §3](#)

Referred to in [§144C.5](#)

Section amended