

SB 1518 STAFF MEASURE SUMMARY

Senate Committee On Veterans and Emergency Preparedness

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Meeting Dates: 2/7

WHAT THE MEASURE DOES:

Creates an exception for cemetery authorities to deviate from certain protocols that would otherwise apply to handling deceased persons, so they may respond to natural disasters that disturb human remains. Provides corresponding immunity from liability.

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

[*pending*] Prohibits entities such as AAA from refusing emergency roadside assistance for subscribers on gravel surfaces.

BACKGROUND:

The disposition of human remains is heavily regulated. In order to remove the remains of a deceased person from a plot, current law requires the written consent and approval of persons with decision-making authority over the remains, as well as the consent of the relevant cemetery authority. If consent cannot be obtained from persons with decision-making authority, an application may be filed in court with 60 days advance notice to the relevant cemetery authority and person. Similarly, disinterment and reinterment of human remains also requires authorization, typically from the State Registrar of the Center for Health Statistics, upon application by a funeral service practitioner.

In the event a natural disaster or similar emergency disturbs interred human remains, Senate Bill 1518 allows cemetery authorities to respond in specified ways after making reasonable efforts to notify persons with decision-making authority over the affected remains.