

**SB 227 STAFF MEASURE SUMMARY****Carrier:** Rep. Bonham**House Committee On Business and Labor****Action Date:** 05/08/19**Action:** Do Pass.**Vote:** 9-0-2-0**Yeas:** 9 - Barker, Barreto, Boles, Bonham, Boshart Davis, Bynum, Doherty, Evans, Fahey**Exc:** 2 - Clem, Holvey**Fiscal:** No fiscal impact**Revenue:** No revenue impact**Prepared By:** Jan Nordlund, LPRO Analyst**Meeting Dates:** 4/24, 5/8**WHAT THE MEASURE DOES:**

Authorizes cemetery authority or person with right to control disposition of body to temporarily store or inter human remains that have been completely or partially dislodged by natural disaster. Allows human remains to be interred in original or new plot within cemetery. Requires cemetery authority to make reasonable attempt to identify remains and notify person with right to control disposition of remains before interment or storage. Provides that cemetery and person with right to control disposition of remains are not liable for specified violations when acting to store or inter human remains dislodged by natural disaster. Declares emergency, effective on passage.

**ISSUES DISCUSSED:**

- Occurrence of landslides affecting cemeteries
- Current lack of statutory authority for cemeteries to respond in emergency situation
- Existing requirement to provide notification of move to decedent's designated contact
- Importance of protecting dignity of deceased and health of community
- Shielding cemetery owners from liability

**EFFECT OF AMENDMENT:**

No amendment.

**BACKGROUND:**

Natural disasters such as flooding and landslides can expose and dislodge human remains. After recent landslides in or near cemeteries, it was determined that statutory clarity was needed to allow cemetery authorities to act without liability in an emergency situation. Senate Bill 227 allows a cemetery authority, after making a reasonable attempt to notify the appropriate parties, to temporarily store and inter human remains dislodged by a natural disaster. The measure also allows, in the event of a natural disaster or similar emergency, the person with the right to control the disposition of the human remains to personally undertake the temporary storage or interment.