

HCS HB 394 -- DESIGNATION OF NEXT-OF-KIN

SPONSOR: Byrd

COMMITTEE ACTION: Voted "do pass by consent" by the Committee on Judiciary by a vote of 18 to 0.

This substitute defines "next-of-kin" for purposes of Chapter 193, RSMo (Vital Statistics); Chapter 194 (Death-Disposition of Dead Bodies); Chapter 333 (Embalmers and Funeral Directors); and Chapter 436 (Special Purpose Contracts). Deceased persons' next-of-kin may control final disposition of the remains if they assume all costs for disposition. Funeral directors are entitled to rely and act on the lawful instructions of the claimed next-of-kin. A person can designate any person to be his or her next-of-kin by a verified written instrument, including a will or trust.

FISCAL NOTE: No impact on state funds.

PROPOSERS: Supporters say that the bill clarifies a gray area in Missouri law and provides some certainty for both families and funeral homes.

Testifying for the bill were Representative Byrd; Missouri Funeral Directors Association; and Reid Millard, Millard Family Funeral Chapels.

OPPOSERS: There was no opposition voiced to the committee.

Julie Jinkens McNitt, Legislative Analyst