

House _____ Amendment NO. _____

Offered By _____

1 AMEND Senate Committee Substitute for Senate Bill No. 107, Page 2, Section 324.023, Line 17, by
2 inserting immediately after said Line the following:

3 "214.208. 1. Every person or association which owns any cemetery in which dead human
4 remains are buried or otherwise interred is authorized, at the cemetery owner's expense, to disinter
5 individual remains and reinter or rebury the remains at another location within the cemetery in order
6 to correct an error made in the original burial or interment of the remains.

7 2. Every person or association which owns any cemetery in which dead human remains are
8 buried or otherwise interred is authorized to disinter individual remains and either to reinter or
9 rebury the remains at another location within the cemetery or to deliver the remains to a carrier for
10 transportation out of the cemetery, all pursuant to written instructions signed and acknowledged by
11 the next-of-kin at the time of death of the deceased person as set out in section 194.119. If the
12 next-of-kin at the time of death as set out in section 194.119 is no longer living, a majority of the
13 following adult members of the deceased person's family who are then known and living: surviving
14 spouse, children, and parents may authorize the disinterment. If none of the above family members
15 survive the deceased, then the majority of the grandchildren, brothers and sisters of whole and half
16 blood may authorize the disinterment, relocation or delivery of the remains of the deceased. The
17 costs of such disinterment, relocation or delivery shall be paid by the deceased person's family.

18 3. Every person or association which owns any cemetery in which dead human remains are
19 buried or otherwise interred is authorized to disinter individual remains and either to reinter or
20 rebury the remains at another location within the cemetery or to deliver the remains to a carrier for
21 transportation out of the cemetery, all pursuant to a final order issued by the circuit court for the
22 county in which the cemetery is located. The court may issue the order, in the court's discretion and
23 upon such notice and hearing as the court shall deem appropriate, for good cause shown, including
24 without limitation, the best interests of public health or safety, the best interests of the deceased
25 person's family, or the reasonable requirements of the cemetery to facilitate the operation,
26 maintenance, improvement or enlargement of the cemetery. The costs of such disinterment,
27 relocation and delivery, and the related court proceedings, shall be paid by the persons so ordered by
28 the court.

29 4. The cemetery owner, cemetery operator, funeral director, funeral establishment, or any
30 other person or entity involved in the process shall not be liable to the deceased person's family or to

Action Taken _____ Date _____

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1 any third party for a disinterment, relocation or delivery of deceased human remains made pursuant
2 to this section."; and
3
4 Further amend said bill by amending the title, enacting clause, and intersectional references
5 accordingly.