

SS SB 116 -- DISPOSITION OF THE DEAD

This bill repeals provisions of law relating to the notification of death filed by a funeral director with the local registrar authorizing final disposition. Additionally, this bill permits the funeral director to affix a tag containing identifying information of the deceased to a container placed in the casket.

The bill repeals provisions of law relating to the transportation of dead bodies and requires the Department of Health and Senior Services to issue regulations governing such transportation on common carriers in Missouri.

This bill repeals provisions of law requiring any cemetery owner or operator moving a properly buried or interred body for transportation outside the cemetery to, prior to disinterment, notify the closest known living relative of the move.

Currently, the law provides a list, in order of priority, of next-of-kin who have the right to control the disposition of a dead human body. This bill provides that the surviving spouse will not be considered as next-of-kin if an action for dissolution of marriage has been filed and is pending in a court of competent jurisdiction. Additionally, the next-of-kin of a deceased person may delegate the final disposition of the deceased to an agent through a power of attorney.

The bill allows an individual with a superior claim to the disposition of the deceased to be notified in person or by written notice with delivery confirmation, rather than "personally served with written notice", by a person with an inferior claim who has the desire to exercise the right to control the final disposition of the deceased.