

SECOND REGULAR SESSION

# HOUSE BILL NO. 2093

## 103RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE CROSSLEY.

5330H.01I

JOSEPH ENGLER, Chief Clerk

### AN ACT

To repeal sections 193.015, 193.175, 193.275, 194.119, 194.200, 194.265, 194.350, 194.360, 194.381, 214.270, 214.280, 333.011, 333.042, 475.120, 513.430, 574.160, and 595.010, RSMo, and to enact in lieu thereof nineteen new sections relating to the disposition of human remains, with penalty provisions.

*Be it enacted by the General Assembly of the state of Missouri, as follows:*

Section A. Sections 193.015, 193.175, 193.275, 194.119, 194.200, 194.265, 194.350, 194.360, 194.381, 214.270, 214.280, 333.011, 333.042, 475.120, 513.430, 574.160, and 595.010, RSMo, are repealed and nineteen new sections enacted in lieu thereof, to be known as sections 193.015, 193.175, 193.275, 194.007, 194.009, 194.119, 194.200, 194.265, 194.350, 194.360, 194.381, 214.270, 214.280, 333.011, 333.042, 475.120, 513.430, 574.160, and 595.010, to read as follows:

193.015. As used in sections 193.005 to 193.325, unless the context clearly indicates otherwise, the following terms shall mean:

(1) "Advanced practice registered nurse", a person licensed to practice as an advanced practice registered nurse under chapter 335, and who has been delegated tasks outlined in section 193.145 by a physician with whom they have entered into a collaborative practice arrangement under chapter 334;

(2) "Alkaline hydrolysis", the reduction of human remains to bone fragments and essential elements in a hydrolysis facility, as defined in section 194.007, using heat, pressure, water, and base chemical agents;

EXPLANATION — Matter enclosed in bold-faced brackets ~~thus~~ in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

10           (3) "Assistant physician", as such term is defined in section 334.036, and who has  
11 been delegated tasks outlined in section 193.145 by a physician with whom they have entered  
12 into a collaborative practice arrangement under chapter 334;

13           ~~[(3)]~~ (4) "Dead body", a human body or such parts of such human body from the  
14 condition of which it reasonably may be concluded that death recently occurred;

15           ~~[(4)]~~ (5) "Department", the department of health and senior services;

16           ~~[(5)]~~ (6) "Final disposition", the burial, interment, cremation, **reduction by alkaline**  
17 **hydrolysis, natural organic reduction**, removal from the state, or other authorized  
18 disposition of a dead body or fetus;

19           ~~[(6)]~~ (7) "Institution", any establishment, public or private, which provides inpatient  
20 or outpatient medical, surgical, or diagnostic care or treatment or nursing, custodian, or  
21 domiciliary care, or to which persons are committed by law;

22           ~~[(7)]~~ (8) "Live birth", the complete expulsion or extraction from its mother of a child,  
23 irrespective of the duration of pregnancy, which after such expulsion or extraction, breathes  
24 or shows any other evidence of life such as beating of the heart, pulsation of the umbilical  
25 cord, or definite movement of voluntary muscles, whether or not the umbilical cord has been  
26 cut or the placenta is attached;

27           ~~[(8)]~~ (9) **"Natural organic reduction", the contained, accelerated conversion of**  
28 **human remains to soil;**

29           (10) "Physician", a person authorized or licensed to practice medicine or osteopathy  
30 pursuant to chapter 334;

31           ~~[(9)]~~ (11) "Physician assistant", a person licensed to practice as a physician assistant  
32 pursuant to chapter 334, and who has been delegated tasks outlined in section 193.145 by a  
33 physician with whom they have entered into a collaborative practice arrangement under  
34 chapter 334;

35           ~~[(10)]~~ (12) "Spontaneous fetal death", a noninduced death prior to the complete  
36 expulsion or extraction from its mother of a fetus, irrespective of the duration of pregnancy;  
37 the death is indicated by the fact that after such expulsion or extraction the fetus does not  
38 breathe or show any other evidence of life such as beating of the heart, pulsation of the  
39 umbilical cord, or definite movement of voluntary muscles;

40           ~~[(11)]~~ (13) "State registrar", state registrar of vital statistics of the state of Missouri;

41           ~~[(12)]~~ (14) "System of vital statistics", the registration, collection, preservation,  
42 amendment and certification of vital records; the collection of other reports required by  
43 sections 193.005 to 193.325 ~~[and section 194.060]~~; and activities related thereto including the  
44 tabulation, analysis and publication of vital statistics;

45           ~~[(13)]~~ (15) "Vital records", certificates or reports of birth, death, marriage, dissolution  
46 of marriage and data related thereto;

47           ~~[(14)]~~ (16) "Vital statistics", the data derived from certificates and reports of birth,  
48 death, spontaneous fetal death, marriage, dissolution of marriage and related reports.

193.175. The funeral director or person in charge of final disposition of a dead body  
2 shall, prior to the interment of such dead body, affix on the ankle or wrist of the deceased and/  
3 or in a capsule or other container placed in the casket or, if the dead body is cremated **or**  
4 **reduced through the process of alkaline hydrolysis or natural organic reduction**, on the  
5 inside of the vessel containing the remains, a tag encased in durable and long-lasting material  
6 containing the name of the deceased, the date of birth, date of death and Social Security  
7 number of the deceased.

193.275. 1. Every person in charge of an institution shall keep a record of data  
2 concerning each person admitted or confined to such institution as may be required for the  
3 filing of a certificate of birth and death or report of spontaneous fetal death which occurs in  
4 the institution. The record shall be made from information provided by the person being  
5 admitted or confined, but when it cannot be so obtained, the information shall be obtained  
6 from relatives or other persons acquainted with the facts. The name and address of the person  
7 providing the information shall be a part of the record.

8           2. When a dead body or dead fetus is released or disposed of by an institution, the  
9 person in charge of the institution shall keep a record showing the name of the decedent, date  
10 of death, name and address of the person to whom the body or fetus is released, and the date  
11 of removal from the institution. If final disposition is made by the institution, the date, place,  
12 and manner of disposition shall also be recorded.

13           3. A funeral director, embalmer, sexton, or other person who removes from the place  
14 of death, transports, or makes final disposition of a dead body or fetus, in addition to filing  
15 any certificate or other report required by sections 193.005 to 193.325, or regulations  
16 promulgated hereunder, shall keep a record which shall identify the body, and such  
17 information pertaining to his **or her** receipt, removal, delivery, burial, ~~[or]~~ cremation,  
18 **reduction by alkaline hydrolysis, or natural organic reduction** of such body as may be  
19 required by regulations adopted by the department.

20           4. Records maintained under this section shall be retained for a period of not less than  
21 five years and shall be made available for inspection by the state registrar or his designee  
22 upon demand.

23           5. Any person having knowledge of the facts shall furnish such information as he may  
24 possess regarding any birth, death, spontaneous fetal death, marriage, or dissolution of  
25 marriage upon demand of the state registrar.

194.007. As used in this chapter, unless the context requires otherwise, the  
2 following terms mean:

3           (1) "Alkaline hydrolysis", the reduction of human remains to bone fragments  
4 and essential elements in a hydrolysis facility using heat, pressure, water, and base  
5 chemical agents;

6           (2) "Final disposition", the disposition of human remains by entombment,  
7 burial, cremation, alkaline hydrolysis, natural organic reduction, or removal from the  
8 state;

9           (3) "Human remains" or "remains", the body of a deceased person, including  
10 remains following the process of cremation, alkaline hydrolysis, or natural organic  
11 reduction. The term "human remains" or "remains" also includes the body in any  
12 stage of decomposition;

13           (4) "Hydrolysis facility", a structure, room, or other space in a building or  
14 structure containing one or more hydrolysis vessels to be used for alkaline hydrolysis;

15           (5) "Natural organic reduction", the contained, accelerated conversion of  
16 human remains to soil.

          194.009. A person may use alkaline hydrolysis or natural organic reduction for  
2 the final disposition of human remains or as a step in the final disposition of human  
3 remains.

          194.119. 1. As used in this section, the term "right of sepulcher" means the right to  
2 choose and control the burial, cremation, **reduction by alkaline hydrolysis, natural organic**  
3 **reduction**, or other final disposition of a dead human body.

4           2. For purposes of this chapter and chapters 193, 333, and 436, and in all cases  
5 relating to the custody, control, and disposition of deceased human remains, including the  
6 common law right of sepulcher, where not otherwise defined, the term "next-of-kin" means  
7 the following persons in the priority listed if such person is eighteen years of age or older, is  
8 mentally competent, and is willing to assume responsibility for the costs of disposition:

9           (1) An attorney in fact designated in a durable power of attorney wherein the  
10 deceased specifically granted the right of sepulcher over his or her body to such attorney in  
11 fact;

12           (2) For a decedent who was on active duty in the United States military at the time of  
13 death, the person designated by such decedent in the written instrument known as the United  
14 States Department of Defense Form 93, Record of Emergency Data, in accordance with 10  
15 U.S.C. Section 1482;

16           (3) The surviving spouse, unless an action for the dissolution of the marriage has been  
17 filed and is pending in a court of competent jurisdiction;

18           (4) Any surviving child of the deceased. If a surviving child is less than eighteen  
19 years of age and has a legal or natural guardian, such child shall not be disqualified on the  
20 basis of the child's age and such child's legal or natural guardian, if any, shall be entitled to

21 serve in the place of the child unless such child's legal or natural guardian was subject to an  
22 action in dissolution from the deceased. In such event the person or persons who may serve  
23 as next-of-kin shall serve in the order provided in subdivisions (5) to (9) of this subsection;

24 (5) (a) Any surviving parent of the deceased; or

25 (b) If the deceased is a minor, a surviving parent who has custody of the minor; or

26 (c) If the deceased is a minor and the deceased's parents have joint custody, the parent  
27 whose residence is the minor child's residence for purposes of mailing and education;

28 (6) Any surviving sibling of the deceased;

29 (7) The next nearest surviving relative of the deceased by consanguinity or affinity;

30 (8) Any person or friend who assumes financial responsibility for the disposition of  
31 the deceased's remains if no next-of-kin assumes such responsibility;

32 (9) The county coroner or medical examiner; provided however that such assumption  
33 of responsibility shall not make the coroner, medical examiner, the county, or the state  
34 financially responsible for the cost of disposition.

35 3. The next-of-kin of the deceased shall be entitled to control the final disposition of  
36 the remains of any dead human being consistent with all applicable laws, including all  
37 applicable health codes. The next-of-kin may delegate the control of the final disposition of  
38 the remains of any dead human being to an agent through either a specific or general grant of  
39 power in accordance with section 404.710 if, at the time of delegation, the next-of-kin was  
40 eighteen years of age or older and mentally competent and the principal or agent is taking  
41 financial responsibility for the disposition.

42 4. A funeral director or establishment is entitled to rely on and act according to the  
43 lawful instructions of any person claiming to be the next-of-kin of the deceased; provided  
44 however, in any civil cause of action against a funeral director or establishment licensed  
45 pursuant to this chapter for actions taken regarding the funeral arrangements for a deceased  
46 person in the director's or establishment's care, the relative fault, if any, of such funeral  
47 director or establishment may be reduced if such actions are taken in reliance upon a person's  
48 claim to be the deceased person's next-of-kin.

49 5. Any person who desires to exercise the right of sepulcher and who has knowledge  
50 of an individual or individuals with a superior right to control disposition shall notify such  
51 individual or individuals prior to making final arrangements.

52 6. If an individual with a superior claim is notified in person or by written notice with  
53 delivery confirmation to such person's last known address by a person with an inferior claim  
54 that such person desires to exercise the right of sepulcher and the individual so served does  
55 not object within forty-eight hours of such notice, such individual shall be deemed to have  
56 waived such right. An individual with a superior right may also waive such right at any time  
57 if such waiver is in writing and dated.

58           7. If there is more than one person in a class who are equal in priority and the funeral  
59 director has no knowledge of any objection by other members of such class, the funeral  
60 director or establishment shall be entitled to rely on and act according to the instructions of  
61 the first such person in the class to make arrangements; provided that such person assumes  
62 responsibility for the costs of disposition and no other person in such class provides written  
63 notice of his or her objection. If the funeral director has knowledge that there is more than  
64 one person in a class who are equal in priority and who do not agree on the disposition, the  
65 decision of the majority of the members of such class shall control the disposition.

66           8. For purposes of conducting a majority vote under subsection 7 of this section, the  
67 funeral director shall allow voting by proxy using a written authorization or instrument.

194.200. 1. As used in this section, the following terms mean:

2           (1) "Final disposition", the burial, entombment, cremation, **reduction by alkaline**  
3 **hydrolysis, natural organic reduction**, delivery to an educational or medical institution for  
4 donation, delivery to the state anatomical board or removal from the state of the remains of a  
5 deceased person;

6           (2) "Parents", either or both the biological mother or father of a stillborn child, but  
7 such term shall not include an unknown or unidentified biological father;

8           (3) "Stillborn child", a child who is dead at birth.

9           2. If a hospital or other health care facility transfers a stillborn child to a funeral  
10 establishment for final disposition, the hospital or health care facility shall contact one or both  
11 of the parents of such child within twenty-four hours of such transfer for instructions on the  
12 method of final disposition of the child. If the hospital contacts and receives instructions  
13 from at least one of the parents, the hospital shall convey such instructions to the funeral  
14 establishment which shall proceed as directed by such instructions. If the funeral  
15 establishment receives instructions from at least one of the parents, the funeral establishment  
16 may arrange for the final disposition of the child in accordance with such instructions without  
17 contacting the other parent. If the parents of the child do not provide instructions for the final  
18 disposition within five days, the funeral establishment shall conduct the most cost-effective  
19 method of final disposition of such child and the hospital shall be responsible for the cost of  
20 such final disposition. The hospital shall be entitled to collect the cost of such disposition  
21 from the parents. If the parents select the manner of final disposition, the parents shall be  
22 responsible to the funeral establishment for the costs of such disposition.

23           3. Any person who violates the provisions of this section is guilty of a class A  
24 misdemeanor.

194.265. 1. When a hospital refers an individual at or near death to a procurement  
2 organization, the organization shall make a reasonable search of any donor registry and other

3 applicable records that it knows exist for the geographical area in which the individual resides  
4 to ascertain whether the individual has made an anatomical gift.

5       2. A procurement organization must be allowed reasonable access to information in  
6 the records of the department of health and senior services and department of revenue to  
7 ascertain whether an individual at or near death is a donor.

8       3. When a hospital refers an individual at or near death to a procurement organization,  
9 the organization may conduct any reasonable examination necessary to ensure the medical  
10 suitability of a part that is or could be the subject of an anatomical gift for transplantation,  
11 therapy, research, or education from a donor, potential donor, or a prospective donor. During  
12 the examination period, measures necessary to ensure the medical suitability of the part may  
13 not be withdrawn unless the hospital or procurement organization knows a contrary intent had  
14 or has been expressed by the individual or an agent of the individual, or if the individual is  
15 incapacitated and he or she has no agent, knows a contrary intent has been expressed by any  
16 person listed in section 194.245 having priority to make an anatomical gift on behalf of the  
17 individual.

18       4. Unless prohibited by law other than sections 194.210 to 194.294, at any time after  
19 a donor's death, the person to which a part passes under section 194.255 may conduct any  
20 reasonable examination necessary to ensure the medical suitability of the body or part for its  
21 intended purpose.

22       5. Unless prohibited by law other than sections 194.210 to 194.294, an examination  
23 under subsection 3 or 4 of this section may include an examination of all medical records of  
24 the donor, potential donor, or prospective donor.

25       6. Upon the death of a minor who was a donor or had signed a refusal, unless a  
26 procurement organization knows the minor is emancipated, the procurement organization  
27 shall conduct a reasonable search for the parents of the minor and provide the parents with an  
28 opportunity to revoke or amend the anatomical gift or revoke a refusal.

29       7. Upon referral by a hospital under subsection 1 of this section, a procurement  
30 organization shall make a reasonable search for any person listed in section 194.245 having  
31 priority to make an anatomical gift on behalf of a donor, potential donor, or prospective  
32 donor. If a procurement organization receives information that an anatomical gift to any other  
33 person was made, amended, or revoked, it shall promptly advise the other person of all  
34 relevant information.

35       8. Subject to subsection 9 of section 194.255 and section 58.785, the rights of the  
36 person to which a part passes under section 194.255 are superior to rights of all others with  
37 respect to the part. The person may accept or reject an anatomical gift in whole or in part.  
38 Subject to the terms of the document of gift and this act, a person that accepts an anatomical  
39 gift of an entire body may allow embalming ~~[or]~~, cremation, **reduction by alkaline**

40 **hydrolysis, or natural organic reduction** and use of remains in a funeral service. If the gift  
41 is of a part, the person to which the part passes under section 194.255, upon the death of the  
42 donor and before embalming, burial, ~~[or]~~ cremation, **reduction by alkaline hydrolysis, or**  
43 **natural organic reduction** shall cause the part to be removed without unnecessary  
44 mutilation.

45 9. Neither the physician who attends the decedent immediately prior to or at death nor  
46 the physician who determines the time of the decedent's death may participate in the  
47 procedures for removing or transplanting a part from the decedent.

48 10. No physician who removes or transplants a part from the decedent, or a  
49 procurement organization, shall have primary responsibility for the health care treatment, or  
50 health care decision-making for such individual's terminal condition during the  
51 hospitalization for which the individual becomes a donor.

52 11. A physician or technician may remove a donated part from the body of a donor  
53 that the physician or technician is qualified to remove.

194.350. A licensed funeral establishment which cremates **or engages in the process**  
2 **of alkaline hydrolysis or natural organic reduction of**, or contracts for the cremation **or**  
3 **disposition by alkaline hydrolysis or natural organic reduction of**, a dead human body,  
4 whether the cremation **or other disposition** occurs before or after August 28, 1989, may  
5 dispose of the ~~[cremated]~~ remains **following the process of cremation, alkaline hydrolysis,**  
6 **or natural organic reduction** by:

7 (1) Disposing the remains in accordance with the ~~[cremation]~~ contract, except if  
8 otherwise prohibited by law;

9 (2) Delivering the remains to or as directed by another licensed funeral establishment  
10 which contracted for the cremation **or other disposition**;

11 (3) Delivering the remains to or as directed by the person who contracted for the  
12 cremation **or other disposition**; or

13 (4) If not delivered pursuant to subdivision (2) or (3) of this section, by scattering,  
14 burying, or interring the unclaimed ~~[cremated]~~ remains in a scatter garden or pond,  
15 columbarium or other place formally dedicated for such purpose, by delivering the remains to  
16 any person listed in section 194.119, or releasing the remains to a veterans' service  
17 organization per the procedures set out in section 194.360, provided, at least ninety days prior  
18 to such action the funeral establishment shall send a written notice by mail, with confirmation  
19 of delivery, to the last known address of the person or establishment that contracted for the  
20 cremation **or other disposition** stating that the remains will be scattered, interred, or  
21 delivered under this subdivision unless the notified establishment or person, or other person  
22 authorized by the notified establishment or person, claims and removes the remains prior to  
23 the end of such ninety-day period.



194.360. 1. As used in this section the following terms shall mean:

2 (1) "Funeral establishment", as defined in section 333.011, a funeral home, a funeral  
3 director, an embalmer, or an employee of any of the individuals or entities;

4 (2) "Identifying information", data required by the Department of Veterans Affairs to  
5 verify a veteran or their dependent's eligibility for burial in a national or state cemetery: name,  
6 service number, Social Security number, date of birth, date of death, place of birth, and copy  
7 of death certificate;

8 (3) "Veteran", a person honorably discharged from the Armed Forces of the United  
9 States, including, but not limited to, the Philippine Commonwealth Army, the Regular Scouts  
10 "Old Scouts", and the Special Philippine Scouts "New Scouts", or a person who died while on  
11 active military service with any branch of the Armed Forces of the United States;

12 (4) "Veterans' service organization", a veterans organization that is federally chartered  
13 by the Congress of the United States, veterans' service organization recognized by the  
14 Department of Veterans Affairs or that qualifies as a Section 501(c)(3) or 501(c)(19),  
15 nonprofit tax exempt organization under the Internal Revenue Code that is organized for the  
16 verification and burial of veterans and dependents.

17 2. A funeral establishment or coroner in the possession of ~~cremated~~ remains  
18 **following the process of cremation, alkaline hydrolysis, or natural organic reduction** is  
19 authorized to release the identifying information to the Department of Veterans Affairs or a  
20 veterans' service organization for the purpose of obtaining verification of the veteran's or  
21 ~~[veterans']~~ **veteran's** dependent's eligibility for a military burial, interment, or scattering.  
22 When verification of a veteran or dependent is completed, the funeral establishment or  
23 coroner may release the remains to the veterans' service organization who then may arrange  
24 for the **final disposition**, burial, interment, or scattering of the remains.

25 3. A funeral establishment or coroner who releases the identifying information shall  
26 not be liable in any action regarding the release of the identifying information and neither the  
27 funeral establishment, coroner, or veterans' service organization shall be liable in any action  
28 stemming from the final disposition, interment, burial, or scattering of remains released to a  
29 veterans' service organization pursuant to this chapter so long as the funeral establishment,  
30 prior to the **final disposition**, burial, interment, or scattering of the remains, follows the  
31 notification procedures for unclaimed cremated remains as set out in subdivision (4) of  
32 section 194.350.

33 4. A veterans' service organization accepting remains under this section shall take all  
34 reasonable steps to inter the remains in a veterans' cemetery.

194.381. 1. The final disposition of the remains of a human fetus may be by  
2 cremation, **alkaline hydrolysis, natural organic reduction**, interment by burial, incineration  
3 in an approved medical waste incinerator, or other means authorized by the director of the

4 department of health and senior services. The disposition shall be in accordance with state  
5 law or administrative rules providing for the disposition. If the remains are disposed of by  
6 incineration, the remains shall be incinerated separately from other medical waste.

7 2. No religious service or ceremony is required as part of the final disposition of the  
8 remains of a human fetus.

214.270. As used in sections 214.270 to 214.410, the following terms mean:

2 (1) "Agent" or "authorized agent", any person empowered by the cemetery operator  
3 to represent the operator in dealing with the general public, including owners of the burial  
4 space in the cemetery;

5 (2) **"Alkaline hydrolysis", the reduction of human remains to bone fragments**  
6 **and essential elements in a hydrolysis facility, as defined in section 194.007, using heat,**  
7 **pressure, water, and base chemical agents;**

8 (3) "Burial merchandise", a monument, marker, memorial, tombstone, headstone, urn,  
9 outer burial container, or similar article which may contain specific lettering, shape, color, or  
10 design as specified by the purchaser;

11 ~~[(3)]~~ (4) "Burial space", one or more than one plot, grave, mausoleum, crypt, lawn,  
12 surface lawn crypt, niche or space used or intended for the interment of the human dead;

13 ~~[(4)]~~ (5) "Cemetery", property restricted in use for the interment of the human dead  
14 by formal dedication or reservation by deed but shall not include any of the foregoing held or  
15 operated by the state or federal government or any political subdivision thereof, any  
16 incorporated city or town, any county or any religious organization, cemetery association or  
17 fraternal society holding the same for sale solely to members and their immediate families;

18 ~~[(5)]~~ (6) "Cemetery association", any number of persons who shall have associated  
19 themselves by articles of agreement in writing as a not-for-profit association or organization,  
20 whether incorporated or unincorporated, formed for the purpose of ownership, preservation,  
21 care, maintenance, adornment and administration of a cemetery. Cemetery associations shall  
22 be governed by a board of directors. Directors shall serve without compensation;

23 ~~[(6)]~~ (7) "Cemetery operator" or "operator", any person who owns, controls, operates  
24 or manages a cemetery;

25 ~~[(7)]~~ (8) "Cemetery prearranged contract", any contract with a cemetery or cemetery  
26 operator for burial merchandise or burial services covered by sections 214.270 to 214.410  
27 which is entered into before the death of the individual for whom the burial merchandise or  
28 burial services are intended;

29 ~~[(8)]~~ (9) "Cemetery service" or "burial service", those services performed by a  
30 cemetery owner or operator licensed as an endowed care or nonendowed cemetery including  
31 setting a monument or marker, setting a tent, excavating a grave, interment, entombment,  
32 inurnment, setting a vault, or other related services within the cemetery;

33       ~~[(9)]~~ **(10)** "Columbarium", a building or structure for the inurnment of ~~[cremated]~~  
34 human remains **following the process of cremation, alkaline hydrolysis, or natural**  
35 **organic reduction;**

36       ~~[(10)]~~ **(11)** "Community mausoleum", a mausoleum containing a substantial area of  
37 enclosed space and having either a heating, ventilating or air conditioning system;

38       ~~[(11)]~~ **(12)** "Department", department of commerce and insurance;

39       ~~[(12)]~~ **(13)** "Developed acreage", the area which has been platted into grave spaces  
40 and has been developed with roads, paths, features, or ornamentations and in which burials  
41 can be made;

42       ~~[(13)]~~ **(14)** "Director", director of the division of professional registration;

43       ~~[(14)]~~ **(15)** "Division", division of professional registration;

44       ~~[(15)]~~ **(16)** "Endowed care", the maintenance, repair and care of all burial space  
45 subject to the endowment within a cemetery, including any improvements made for the  
46 benefit of such burial space. Endowed care shall include the general overhead expenses  
47 needed to accomplish such maintenance, repair, care and improvements. Endowed care shall  
48 include the terms perpetual care, permanent care, continual care, eternal care, care of  
49 duration, or any like term;

50       ~~[(16)]~~ **(17)** "Endowed care cemetery", a cemetery, or a section of a cemetery, which  
51 represents itself as offering endowed care and which complies with the provisions of sections  
52 214.270 to 214.410;

53       ~~[(17)]~~ **(18)** "Endowed care fund", "endowed care trust", or "trust", any cash or cash  
54 equivalent, to include any income therefrom, impressed with a trust by the terms of any gift,  
55 grant, contribution, payment, devise or bequest to an endowed care cemetery, or its endowed  
56 care trust, or funds to be delivered to an endowed care cemetery's trust received pursuant to a  
57 contract and accepted by any endowed care cemetery operator or his agent. This definition  
58 includes the terms endowed care funds, maintenance funds, memorial care funds, perpetual  
59 care funds, or any like term;

60       ~~[(18)]~~ **(19)** "Escrow account", an account established in lieu of an endowed care fund  
61 as provided under section 214.330 or an account used to hold deposits under section 214.387;

62       ~~[(19)]~~ **(20)** "Escrow agent", an attorney, title company, certified public accountant or  
63 other person authorized by the division to exercise escrow powers under the laws of this state;

64       ~~[(20)]~~ **(21)** "Escrow agreement", an agreement subject to approval by the office  
65 between an escrow agent and a cemetery operator or its agent or related party with common  
66 ownership, to receive and administer payments under cemetery prearranged contracts sold by  
67 the cemetery operator;

68       ~~[(21)]~~ **(22)** "Family burial ground", a cemetery in which no burial space is sold to the  
69 public and in which interments are restricted to persons related by blood or marriage;

70       ~~[(22)]~~ (23) "Fraternal cemetery", a cemetery owned, operated, controlled or managed  
71 by any fraternal organization or auxiliary organizations thereof, in which the sale of burial  
72 space is restricted solely to its members and their immediate families;

73       ~~[(23)]~~ (24) "Garden mausoleum", a mausoleum without a substantial area of enclosed  
74 space and having its crypt and niche fronts open to the atmosphere. Ventilation of the crypts  
75 by forced air or otherwise does not constitute a garden mausoleum as a community  
76 mausoleum;

77       ~~[(24)]~~ (25) "Government cemetery", or "municipal cemetery", a cemetery owned,  
78 operated, controlled or managed by the federal government, the state or a political subdivision  
79 of the state, including a county or municipality or instrumentality thereof;

80       ~~[(25)]~~ (26) "Grave" or "plot", a place of ground in a cemetery, used or intended to be  
81 used for burial of human remains;

82       ~~[(26)]~~ (27) "Human remains", the body of a deceased person in any state of  
83 decomposition, as well as ~~[cremated]~~ remains **following the process of cremation, alkaline**  
84 **hydrolysis, or natural organic reduction;**

85       ~~[(27)]~~ (28) "Inurnment", placing ~~[an urn containing cremated]~~ remains **following the**  
86 **process of cremation, alkaline hydrolysis, or natural organic reduction** in a burial space;

87       ~~[(28)]~~ (29) "Lawn crypt", a burial vault or other permanent container for a casket  
88 which is permanently installed below ground prior to the time of the actual interment. A lawn  
89 crypt may permit single or multiple interments in a grave space;

90       ~~[(29)]~~ (30) "Mausoleum", a structure or building for the entombment of human  
91 remains in crypts;

92       ~~[(30)]~~ (31) **"Natural organic reduction", the contained, accelerated conversion of**  
93 **human remains to soil;**

94       (32) "Niche", a space in a columbarium used or intended to be used for inurnment of  
95 ~~[cremated]~~ remains;

96       ~~[(31)]~~ (33) "Nonendowed care cemetery", or "nonendowed cemetery", a cemetery or  
97 a section of a cemetery for which no endowed care trust fund has been established in  
98 accordance with sections 214.270 to 214.410;

99       ~~[(32)]~~ (34) "Office", the office of endowed care cemeteries within the division of  
100 professional registration;

101       ~~[(33)]~~ (35) "Owner of burial space", a person to whom the cemetery operator or his  
102 authorized agent has transferred the right of use of burial space;

103       ~~[(34)]~~ (36) "Person", an individual, corporation, partnership, joint venture,  
104 association, trust or any other legal entity;

105       ~~[(35)]~~ (37) "Registry", the list of cemeteries maintained in the division office for  
106 public review. The division may charge a fee for copies of the registry;

107           ~~[(36)]~~ **(38)** "Religious cemetery", a cemetery owned, operated, controlled or managed  
108 by any church, convention of churches, religious order or affiliated auxiliary thereof in which  
109 the sale of burial space is restricted solely to its members and their immediate families;

110           ~~[(37)]~~ **(39)** "Surface lawn crypt", a sealed burial chamber whose lid protrudes above  
111 the land surface;

112           ~~[(38)]~~ **(40)** "Total acreage", the entire tract which is dedicated to or reserved for  
113 cemetery purposes;

114           ~~[(39)]~~ **(41)** "Trustee of an endowed care fund", the separate legal entity qualified  
115 under section 214.330 appointed as trustee of an endowed care fund.

214.280. 1. Operators of all existing cemeteries shall, prior to August twenty-eighth  
2 following August 28, 1994, elect to operate each cemetery as an endowed care cemetery as  
3 defined in subdivision ~~[(16)]~~ **(17)** of section 214.270 and shall register such intention with the  
4 division and remit the required registration fee or, failing such election, shall operate each  
5 cemetery for which such election is not made as a nonendowed cemetery without regard to  
6 registration fees or penalties. Operators of all cemeteries hereafter established shall, within  
7 ninety days from the establishment thereof, elect to operate each cemetery as an endowed care  
8 cemetery, or as a nonendowed cemetery. Such election for newly established cemeteries shall  
9 be filed with the division, on a form provided by the division. Any such election made  
10 subsequent to August 28, 1994, shall be accompanied by a filing fee set by the division, and  
11 such fee shall be deposited in the endowed care cemetery audit fund as defined in section  
12 193.265. The fee authorized in this subsection shall not be required from an existing  
13 nonendowed cemetery.

14           2. The division may adopt rules establishing the conditions and procedures governing  
15 the circumstances where an endowed care cemetery elects to operate as a nonendowed care  
16 cemetery. In the event an endowed care cemetery elects to operate as a nonendowed care  
17 cemetery, the division shall make every effort to require such cemetery to meet all contractual  
18 obligations for the delivery of services entered into prior to it reverting to the status of a  
19 nonendowed cemetery.

333.011. 1. As used in this chapter, unless the context requires otherwise, the  
2 following terms have the meanings indicated:

3           **(1) "Alkaline hydrolysis", the reduction of human remains to bone fragments**  
4 **and essential elements in a hydrolysis facility using heat, pressure, water, and base**  
5 **chemical agents;**

6           **(2) "Board", the state board of embalmers and funeral directors created by this**  
7 **chapter;**

8           ~~[(2)]~~ **(3) "Embalmer", any individual licensed to engage in the practice of embalming;**

9           ~~[(3)]~~ (4) **"Final disposition"**, the disposition of human remains by entombment,  
10 **burial, cremation, alkaline hydrolysis, natural organic reduction, or removal from the**  
11 **state;**

12           (5) "Funeral director", any individual licensed to engage in the practice of funeral  
13 directing;

14           ~~[(4)]~~ (6) "Funeral establishment", a building, place, crematory, **hydrolysis facility,**  
15 **natural organic reduction facility,** or premises devoted to or used in the care and  
16 preparation for burial ~~[or]~~, transportation, **or other final disposition** of the human dead and  
17 includes every building, place or premises maintained for that purpose or held out to the  
18 public by advertising or otherwise to be used for that purpose;

19           ~~[(5)]~~ (7) "Funeral merchandise", caskets, grave vaults, receptacles, and other personal  
20 property incidental to the final disposition of a dead human body, including grave markers,  
21 monuments, tombstones, and urns;

22           ~~[(6)]~~ (8) **"Human remains" or "remains", the body of a deceased person,**  
23 **including remains following the process of cremation, alkaline hydrolysis, or natural**  
24 **organic reduction. The term "human remains" or "remains" also includes the body in**  
25 **any stage of decomposition;**

26           (9) **"Hydrolysis facility", a structure, room, or other space in a building or**  
27 **structure containing one or more hydrolysis vessels to be used for alkaline hydrolysis;**

28           (10) **"Natural organic reduction", the contained, accelerated conversion of**  
29 **human remains to soil;**

30           (11) **"Natural organic reduction facility", a structure, room, or other space in a**  
31 **building or real property where natural organic reduction of a human body occurs;**

32           (12) "Person", any individual, partnership, corporation, cooperative, association, or  
33 other entity;

34           ~~[(7)]~~ (13) "Practice of embalming", the work of preserving, disinfecting and preparing  
35 by arterial embalming, including the chemical preparation of a dead human body for  
36 disposition. Practice of embalming includes all activities leading up to and including arterial  
37 and cavity embalming, including but not limited to raising of vessels and suturing of incisions  
38 of dead human bodies for funeral services, transportation, burial or cremation, or the holding  
39 of oneself out as being engaged in such work;

40           ~~[(8)]~~ (14) "Practice of funeral directing", engaging by an individual in the business of  
41 preparing, otherwise than by embalming, for the burial, ~~[disposal]~~ **final disposition,** or  
42 transportation out of this state of, and the directing and supervising of the burial or ~~[disposal]~~  
43 **final disposition** of, dead human bodies or engaging in the general control, supervision or  
44 management of the operations of a funeral establishment;

45       ~~[(9)]~~ (15) "Preneed agent", any person authorized to sell a preneed contract for or on  
46 behalf of a seller;

47       ~~[(10)]~~ (16) "Provider", the person designated or obligated to provide the final  
48 disposition, funeral, or burial services or facilities, or funeral merchandise described in a  
49 preneed contract;

50       ~~[(11)]~~ (17) "Seller", the person who executes a preneed contract with a purchaser and  
51 who is obligated under such preneed contract to remit payment to the provider.

52       2. All terms defined in sections 436.400 to 436.520 shall be deemed to have the same  
53 meaning when used in this chapter.

333.042. 1. Except as otherwise provided in this section, an applicant for a funeral  
2 director license not entitled to a license under section 333.051 or 324.009 shall make  
3 application for an initial license to practice funeral directing and shall furnish evidence to  
4 establish to the satisfaction of the board that he or she:

5       (1) Is eighteen years of age or older;

6       (2) Possesses a high school diploma, a general equivalency diploma, or equivalent  
7 thereof, as determined, at its discretion, by the board; and

8       (3) Has either:

9       (a) Completed a funeral service education program accredited by the American Board  
10 of Funeral Service Education, any successor organization, or other accrediting entity as  
11 approved by the board and received passing scores on the National Board Examination-Arts  
12 and the Missouri law examination. The board may accept, in lieu of a passing score on the  
13 National Board Examination-Arts, a passing score on an administration of the Missouri arts  
14 examination that occurred before the International Conference of Funeral Service Examining  
15 Boards ended all administrations of the Missouri arts examination on January 1, 2023; or

16       (b) Made application for a funeral director provisional license and successfully either:  
17       a. Within twenty-four months of receipt of the provisional license:

18       (i) Completed a twelve-month qualifying funeral director apprentice program as  
19 determined by the board during which the applicant arranged and conducted ten funeral  
20 services. Such program shall be under the personal supervision of a funeral director licensed  
21 under this chapter and in a Missouri funeral establishment licensed for the care and  
22 preparation for burial **or other final disposition** and transportation of the human dead in this  
23 state; and

24       (ii) Received passing scores on the National Board Examination-Arts and the  
25 Missouri law examination. The board may accept, in lieu of a passing score on the National  
26 Board Examination-Arts, a passing score on an administration of the Missouri arts  
27 examination that occurred before the International Conference of Funeral Service Examining  
28 Boards ended all administrations of the Missouri arts examination on January 1, 2023; or

29           b. Within thirty-six months of receipt of the provisional license:

30           (i) Completed an eighteen-month qualifying funeral director apprentice program as  
31 determined by the board during which the applicant arranged and conducted twenty-five  
32 funeral services. Such program shall be under the personal supervision of a funeral director  
33 licensed under this chapter and in a Missouri funeral establishment licensed for the care and  
34 preparation for burial **or other final disposition** and transportation of the human dead in this  
35 state; and

36           (ii) Received a passing score on the Missouri law examination.

37           2. Any person holding a provisional license shall be eligible, upon written request to  
38 the board, to sit for the National Board Examination-Arts and the Missouri law examination  
39 at any time during the period in which his or her provisional license is effective.

40           3. Any licensed funeral director who has not previously sat for the National Board  
41 Examination-Arts may, at his or her election and upon written request to the board, sit for the  
42 examination.

43           4. A person may apply for a limited license to work only in a funeral establishment  
44 licensed for cremation. A person holding a limited funeral director license may perform  
45 duties related to cremation. To qualify for a limited funeral director license, an applicant shall  
46 be eighteen years of age or older and shall make application with the board, pay applicable  
47 fees, and successfully complete the Missouri law examination. Completion of a qualifying  
48 funeral director apprentice program shall not be required to obtain a limited funeral director  
49 license.

50           5. The board shall, at its discretion and upon written request, waive individual funeral  
51 director licensure requirements for up to six months if there is an absence of a funeral director  
52 in charge due to the death or disability of the licensed funeral director and there is no other  
53 licensed funeral director available to discharge the director's duties. A waiver under this  
54 subsection shall allow the spouse, next of kin, personal representative, or conservator of the  
55 absent director to conduct business until a licensed funeral director can be obtained or  
56 business arrangements are made to close or sell the establishment. The waiver shall not allow  
57 for any services to be provided for which formal funeral service education is required.

58           6. As used in this section, the following terms mean:

59           (1) "Personal supervision", supervision in which the licensed funeral director shall be  
60 physically present during any arrangement conferences and present for the first five funeral  
61 services conducted by the apprentice. The supervising licensed funeral director shall not be  
62 required to be present when the apprentice performs any other functions relating to the  
63 practice of funeral directing but shall be available within one hour for consultation;

64           (2) "Qualifying funeral director apprentice program", a program that meets the  
65 minimum hour requirements for funeral directing tasks as set by the board and in which the



66 supervising funeral director has attested that the apprentice has obtained the minimal required  
67 skills to practice funeral directing.

475.120. 1. The guardian of the person of a minor shall be entitled to the custody and  
2 control of the ward and shall provide for the ward's education, support, and maintenance.

3 2. A guardian or limited guardian of an incapacitated person shall act in the best  
4 interest of the ward. A limited guardian of an incapacitated person shall have the powers and  
5 duties enumerated by the court in the adjudication order or any later modifying order.

6 3. Except as otherwise limited by the court, a guardian shall make decisions regarding  
7 the adult ward's support, care, education, health, and welfare. A guardian shall exercise  
8 authority only as necessitated by the adult ward's limitations and, to the extent possible, shall  
9 encourage the adult ward to participate in decisions, act on the adult ward's own behalf, and  
10 develop or regain the capacity to manage the adult ward's personal affairs. The general  
11 powers and duties of a guardian of an incapacitated person shall include, but not be limited to,  
12 the following:

13 (1) Assure that the ward resides in the best and least restrictive setting reasonably  
14 available;

15 (2) Assure that the ward receives medical care and other services that are needed;

16 (3) Promote and protect the care, comfort, safety, health, and welfare of the ward;

17 (4) Provide required consents on behalf of the ward;

18 (5) To exercise all powers and discharge all duties necessary or proper to implement  
19 the provisions of this section.

20 4. A guardian of an adult or minor ward is not obligated by virtue of such guardian's  
21 appointment to use the guardian's own financial resources for the support of the ward. If the  
22 ward's estate and available public benefits are inadequate for the proper care of the ward, the  
23 guardian or conservator may apply to the county commission pursuant to section 475.370.

24 5. No guardian of the person shall have authority to seek admission of the guardian's  
25 ward to a mental health or intellectual disability facility for more than thirty days for any  
26 purpose without court order except as otherwise provided by law.

27 6. Only the director or chief administrative officer of a social service agency serving  
28 as guardian of an incapacitated person, or such person's designee, is legally authorized to act  
29 on behalf of the ward.

30 7. A social service agency serving as guardian of an incapacitated person shall notify  
31 the court within fifteen days after any change in the identity of the professional individual  
32 who has primary responsibility for providing guardianship services to the incapacitated  
33 person.

34 8. Any social service agency serving as guardian may not provide other services to  
35 the ward.

36           9. In the absence of any written direction from the ward to the contrary, a guardian  
37 may execute a preneed contract for the ward's funeral services, including cremation,  
38 **reduction by alkaline hydrolysis, or natural organic reduction**, or an irrevocable life  
39 insurance policy to pay for the ward's funeral services, including cremation, **reduction by**  
40 **alkaline hydrolysis, or natural organic reduction**, and authorize the payment of such  
41 services from the ward's resources. Nothing in this section shall interfere with the rights of  
42 next-of-kin to direct the disposition of the body of the ward upon death under section  
43 194.119. If a preneed arrangement such as that authorized by this subsection is in place and  
44 no next-of-kin exercises the right of sepulcher within ten days of the death of the ward, the  
45 guardian may sign consents for the disposition of the body, including cremation, **reduction**  
46 **by alkaline hydrolysis, or natural organic reduction**, without any liability therefor. A  
47 guardian who exercises the authority granted in this subsection shall not be personally  
48 financially responsible for the payment of services.

513.430. 1. The following property shall be exempt from attachment and execution  
2 to the extent of any person's interest therein:

3           (1) Household furnishings, household goods, wearing apparel, appliances, books,  
4 animals, crops or musical instruments that are held primarily for personal, family or  
5 household use of such person or a dependent of such person, not to exceed three thousand  
6 dollars in value in the aggregate;

7           (2) A wedding ring not to exceed one thousand five hundred dollars in value and other  
8 jewelry held primarily for the personal, family or household use of such person or a  
9 dependent of such person, not to exceed five hundred dollars in value in the aggregate;

10          (3) Any other property of any kind, not to exceed in value six hundred dollars in the  
11 aggregate;

12          (4) Any implements or professional books or tools of the trade of such person or the  
13 trade of a dependent of such person not to exceed three thousand dollars in value in the  
14 aggregate;

15          (5) Any motor vehicles, not to exceed three thousand dollars in value in the  
16 aggregate;

17          (6) Any mobile home used as the principal residence but not attached to real property  
18 in which the debtor has a fee interest, not to exceed five thousand dollars in value;

19          (7) Any one or more unmatured life insurance contracts owned by such person, other  
20 than a credit life insurance contract, and up to fifteen thousand dollars of any matured life  
21 insurance proceeds for actual funeral, cremation, **reduction by alkaline hydrolysis, natural**  
22 **organic reduction**, or burial expenses where the deceased is the spouse, child, or parent of  
23 the beneficiary;

24 (8) The amount of any accrued dividend or interest under, or loan value of, any one or  
25 more unmaturred life insurance contracts owned by such person under which the insured is  
26 such person or an individual of whom such person is a dependent; provided, however, that if  
27 proceedings under Title 11 of the United States Code are commenced by or against such  
28 person, the amount exempt in such proceedings shall not exceed in value one hundred fifty  
29 thousand dollars in the aggregate less any amount of property of such person transferred by  
30 the life insurance company or fraternal benefit society to itself in good faith if such transfer is  
31 to pay a premium or to carry out a nonforfeiture insurance option and is required to be so  
32 transferred automatically under a life insurance contract with such company or society that  
33 was entered into before commencement of such proceedings. No amount of any accrued  
34 dividend or interest under, or loan value of, any such life insurance contracts shall be exempt  
35 from any claim for child support. Notwithstanding anything to the contrary, no such amount  
36 shall be exempt in such proceedings under any such insurance contract which was purchased  
37 by such person within one year prior to the commencement of such proceedings;

38 (9) Professionally prescribed health aids for such person or a dependent of such  
39 person;

40 (10) Such person's right to receive:

41 (a) A Social Security benefit, unemployment compensation or a public assistance  
42 benefit;

43 (b) A veteran's benefit;

44 (c) A disability, illness or unemployment benefit;

45 (d) Alimony, support or separate maintenance, not to exceed seven hundred fifty  
46 dollars a month;

47 (e) a. Any payment under a stock bonus plan, pension plan, disability or death benefit  
48 plan, profit-sharing plan, nonpublic retirement plan or any plan described, defined, or  
49 established pursuant to section 456.014, the person's right to a participant account in any  
50 deferred compensation program offered by the state of Missouri or any of its political  
51 subdivisions, or annuity or similar plan or contract on account of illness, disability, death, age  
52 or length of service, to the extent reasonably necessary for the support of such person and any  
53 dependent of such person unless:

54 (i) Such plan or contract was established by or under the auspices of an insider that  
55 employed such person at the time such person's rights under such plan or contract arose;

56 (ii) Such payment is on account of age or length of service; and

57 (iii) Such plan or contract does not qualify under Section 401(a), 403(a), 403(b), 408,  
58 408A or 409 of the Internal Revenue Code of 1986, as amended, (26 U.S.C. Section 401(a),  
59 403(a), 403(b), 408, 408A or 409).

60           b. Notwithstanding the exemption provided in subparagraph a. of this paragraph, any  
61 such payment to any person shall be subject to attachment or execution pursuant to a qualified  
62 domestic relations order, as defined by Section 414(p) of the Internal Revenue Code of 1986  
63 (26 U.S.C. Section 414(p)), as amended, issued by a court in any proceeding for dissolution  
64 of marriage or legal separation or a proceeding for disposition of property following  
65 dissolution of marriage by a court which lacked personal jurisdiction over the absent spouse  
66 or lacked jurisdiction to dispose of marital property at the time of the original judgment of  
67 dissolution;

68           (f) Any money or assets, payable to a participant or beneficiary from, or any interest  
69 of any participant or beneficiary in, a retirement plan, profit-sharing plan, health savings plan,  
70 or similar plan, including an inherited account or plan, that is qualified under Section 401(a),  
71 403(a), 403(b), 408, 408A or 409 of the Internal Revenue Code of 1986 (26 U.S.C. Section  
72 401(a), 403(a), 403(b), 408, 408A, or 409), as amended, whether such participant's or  
73 beneficiary's interest arises by inheritance, designation, appointment, or otherwise, except as  
74 provided in this paragraph. Any plan or arrangement described in this paragraph shall not be  
75 exempt from the claim of an alternate payee under a qualified domestic relations order;  
76 however, the interest of any and all alternate payees under a qualified domestic relations order  
77 shall be exempt from any and all claims of any creditor, other than the state of Missouri  
78 through its department of social services. As used in this paragraph, the terms "alternate  
79 payee" and "qualified domestic relations order" have the meaning given to them in Section  
80 414(p) of the Internal Revenue Code of 1986 (26 U.S.C. Section 414(p)), as amended. If  
81 proceedings under Title 11 of the United States Code are commenced by or against such  
82 person, no amount of funds shall be exempt in such proceedings under any such plan,  
83 contract, or trust which is fraudulent as defined in subsection 2 of section 428.024 and for the  
84 period such person participated within three years prior to the commencement of such  
85 proceedings. For the purposes of this section, when the fraudulently conveyed funds are  
86 recovered and after, such funds shall be deducted and then treated as though the funds had  
87 never been contributed to the plan, contract, or trust;

88           (11) The debtor's right to receive, or property that is traceable to, a payment on  
89 account of the wrongful death of an individual of whom the debtor was a dependent, to the  
90 extent reasonably necessary for the support of the debtor and any dependent of the debtor;

91           (12) Firearms, firearm accessories, and ammunition, not to exceed one thousand five  
92 hundred dollars in value in the aggregate;

93           (13) Any moneys accruing to and deposited in individual savings accounts or  
94 individual deposit accounts under sections 166.400 to 166.456 or sections 166.500 to  
95 166.529, subject to the following provisions:

96           (a) This subdivision shall apply to any proceeding that:

97           a. Is filed on or after January 1, 2022; or

98           b. Was filed before January 1, 2022, and is pending or on appeal after January 1,  
99 2022;

100           (b) Except as provided by paragraph (c) of this subdivision, if the designated  
101 beneficiary of an individual savings account or individual deposit account established under  
102 sections 166.400 to 166.456 or sections 166.500 to 166.529 is a lineal descendant of the  
103 account owner, all moneys in the account shall be exempt from any claims of creditors of the  
104 account owner or designated beneficiary;

105           (c) The provisions of paragraph (b) of this subdivision shall not apply to:

106           a. Claims of any creditor of an account owner as to amounts contributed within a two-  
107 year period preceding the date of the filing of a bankruptcy petition under 11 U.S.C. Section  
108 101 et seq., as amended; or

109           b. Claims of any creditor of an account owner as to amounts contributed within a one-  
110 year period preceding an execution on judgment for such claims against the account owner.

111           2. Nothing in this section shall be interpreted to exempt from attachment or execution  
112 for a valid judicial or administrative order for the payment of child support or maintenance  
113 any money or assets, payable to a participant or beneficiary from, or any interest of any  
114 participant or beneficiary in, a retirement plan which is qualified pursuant to Sections 408 and  
115 408A of the Internal Revenue Code of 1986 (26 U.S.C. Sections 408 and 408A), as amended.

574.160. 1. A person commits the offense of unlawful funeral protest if he or she  
2 pickets or engages in other protest activities within three hundred feet of any residence,  
3 cemetery, funeral home, church, synagogue, or other establishment during or within one hour  
4 before or one hour after the conducting of any actual funeral or burial service at that place.

5           2. For purposes of this section, "other protest activities" means any action that is  
6 disruptive or undertaken to disrupt or disturb a funeral or burial service.

7           3. For purposes of this section, "funeral" and "burial service" mean the ceremonies  
8 and memorial services held in conjunction with the burial ~~[or]~~, cremation, **reduction by**  
9 **alkaline hydrolysis, or natural organic reduction** of the dead, but this section does not  
10 apply to processions while they are in transit beyond any three-hundred-foot zone that is  
11 established under subsection 1 of this section.

12           4. The offense of unlawful funeral protest is a class B misdemeanor, unless  
13 committed by a person who has previously been found guilty of a violation of this section, in  
14 which case it is a class A misdemeanor.

595.010. 1. As used in sections 595.010 to 595.075, unless the context requires  
2 otherwise, the following terms shall mean:

3           (1) "Child", a dependent, unmarried person who is under eighteen years of age and  
4 includes a posthumous child, stepchild, or an adopted child;

5 (2) "Claimant", a victim or a dependent, relative, survivor, or member of the family,  
6 of a victim eligible for compensation pursuant to sections 595.010 to 595.075;

7 (3) "Conservator", a person or corporation appointed by a court to have the care and  
8 custody of the estate of a minor or a disabled person, including a limited conservator;

9 (4) "Counseling", problem-solving and support concerning emotional issues that  
10 result from criminal victimization **provided by a licensed service provider** pursuant to  
11 section 595.030. Counseling is a confidential service provided either on an individual basis  
12 or in a group. Counseling has as a primary purpose to enhance, protect and restore a person's  
13 sense of well-being and social functioning after victimization. Counseling does not include  
14 victim advocacy services such as crisis telephone counseling, attendance at medical  
15 procedures, law enforcement interviews or criminal justice proceedings;

16 (5) "Crime", an act committed in this state which, regardless of whether it is  
17 adjudicated, involves the application of force or violence or the threat of force or violence by  
18 the offender upon the victim but shall include the crime of driving while intoxicated,  
19 vehicular manslaughter and hit and run; and provided, further, that no act involving the  
20 operation of a motor vehicle except driving while intoxicated, vehicular manslaughter and hit  
21 and run which results in injury to another shall constitute a crime for the purpose of sections  
22 595.010 to 595.075, unless such injury was intentionally inflicted through the use of a motor  
23 vehicle. A crime shall also include an act of terrorism, as defined in 18 U.S.C. Section 2331,  
24 which has been committed outside of the United States against a resident of Missouri;

25 (6) "Crisis intervention counseling", helping to reduce psychological trauma where  
26 victimization occurs;

27 (7) "Department", the department of public safety;

28 (8) "Dependent", mother, father, spouse, spouse's mother, spouse's father, child,  
29 grandchild, adopted child, illegitimate child, niece or nephew, who is wholly or partially  
30 dependent for support upon, and living with, but shall include children entitled to child  
31 support but not living with, the victim at the time of his injury or death due to a crime alleged  
32 in a claim pursuant to sections 595.010 to 595.075;

33 (9) "Direct service", providing physical services to a victim of crime including, but  
34 not limited to, transportation, funeral arrangements, child care, emergency food, clothing,  
35 shelter, notification and information;

36 (10) "Director", the director of public safety of this state or a person designated by  
37 him for the purposes of sections 595.010 to 595.075;

38 (11) "Disabled person", one who is unable by reason of any physical or mental  
39 condition to receive and evaluate information or to communicate decisions to such an extent  
40 that the person lacks ability to manage his financial resources, including a partially disabled  
41 person who lacks the ability, in part, to manage his financial resources;

42 (12) "Emergency service", those services provided to alleviate the immediate effects  
43 of the criminal act or offense, and may include cash grants of not more than one hundred  
44 dollars;

45 (13) "Earnings", net income or net wages;

46 (14) "Family", the spouse, parent, grandparent, stepmother, stepfather, child,  
47 grandchild, brother, sister, half brother, half sister, adopted children of parent, or spouse's  
48 parents;

49 (15) "Funeral expenses", the expenses of the funeral, burial, cremation, **reduction by**  
50 **alkaline hydrolysis, natural organic reduction,** or other chosen method of interment,  
51 including plot or tomb and other necessary incidents to the disposition of the remains;

52 (16) "Gainful employment", engaging on a regular and continuous basis, up to the  
53 date of the incident upon which the claim is based, in a lawful activity from which a person  
54 derives a livelihood;

55 (17) "Guardian", one appointed by a court to have the care and custody of the person  
56 of a minor or of an incapacitated person, including a limited guardian;

57 (18) "Hit and run", the crime of leaving the scene of a motor vehicle accident as  
58 defined in section 577.060;

59 (19) "Incapacitated person", one who is unable by reason of any physical or mental  
60 condition to receive and evaluate information or to communicate decisions to such an extent  
61 that he lacks capacity to meet essential requirements for food, clothing, shelter, safety or other  
62 care such that serious physical injury, illness, or disease is likely to occur, including a partially  
63 incapacitated person who lacks the capacity to meet, in part, such essential requirements;

64 (20) "Injured victim", a person:

65 (a) Killed or receiving a personal physical injury in this state as a result of another  
66 person's commission of or attempt to commit any crime;

67 (b) Killed or receiving a personal physical injury in this state while in a good faith  
68 attempt to assist a person against whom a crime is being perpetrated or attempted;

69 (c) Killed or receiving a personal physical injury in this state while assisting a law  
70 enforcement officer in the apprehension of a person who the officer has reason to believe has  
71 perpetrated or attempted a crime;

72 (21) "Law enforcement official", a sheriff and his regular deputies, municipal police  
73 officer or member of the Missouri state highway patrol and such other persons as may be  
74 designated by law as peace officers;

75 (22) "Offender", a person who commits a crime;

76 (23) "Personal injury", physical, emotional, or mental harm or trauma resulting from  
77 the crime upon which the claim is based;

78           (24) "Private agency", a not-for-profit corporation, in good standing in this state,  
79 which provides services to victims of crime and their dependents;

80           (25) "Public agency", a part of any local or state government organization which  
81 provides services to victims of crime;

82           (26) "Relative", the spouse of the victim or a person related to the victim within the  
83 third degree of consanguinity or affinity as calculated according to civil law;

84           (27) "Survivor", the spouse, parent, legal guardian, grandparent, sibling or child of  
85 the deceased victim of the victim's household at the time of the crime;

86           (28) "Victim", a person who suffers personal injury or death as a direct result of a  
87 crime, as defined in subdivision (5) of this subsection;

88           (29) "Victim advocacy", assisting the victim of a crime and his dependents to acquire  
89 services from existing community resources.

90           2. As used in sections 595.010 to 595.075, the term "alcohol-related traffic offense"  
91 means those offenses defined by sections 577.001, 577.010, and 577.012, and any county or  
92 municipal ordinance which prohibits operation of a motor vehicle while under the influence  
93 of alcohol.

✓