

HB 1696 -- RIGHT OF SEPULCHER

SPONSOR: Christensen

Current law establishes next-of-kin as it relates to the right of sepulcher to include any surviving parent of the deceased.

This bill modifies these provisions to have the surviving parent be considered next-of-kin if the deceased is not a minor. If the deceased is a minor with a court-appointed guardian, then the court-appointed guardian is to be considered next-of-kin unless such person is being investigated for his or her role in the death of the minor.

If the court appointed co-guardians, the guardian specifically granted the right of sepulcher by the court has the superior claim; if the court did not specifically grant such a right to one guardian, the guardian whose residence is the minor child's residence has the superior claim.

Additionally, if the deceased is a minor without a court-appointed guardian, a surviving parent with custody of the minor is considered next-of-kin. If the deceased is a minor without a court-appointed guardian and the parents have joint custody, the parent whose residence is the minor child's residence is considered next-of-kin.