
The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Cathy Wells.

DIGEST

Riser (SB 611)

Present law provides relative to burial of unclaimed bodies.

Proposed law provides relative to disposition of human remains.

Present law provides for surviving spouse, next of kin, and other relatives who have the right to control interment and who have the right to serve as an authorizing agent for cremation of the remains of a deceased person unless other specific written and notarized directions have been given by the decedent.

Present law authorizes the coroner to release the remains to any interested party if the surviving spouse, next of kin, and other relatives who have the right to control interment refuse to bury the remains.

Proposed law retains present law and provides for the disposition of such remains not just for burial. Proposed law further provides that if the coroner releases the remains to an interested person, such person may serve as the authorizing agent to cremation.

Proposed law requires funeral establishments and healthcare facilities to notify the coroner if remains have been abandoned and gives the coroner custody and control of such remains as well as those remains that have been released and are abandoned while in possession of a funeral establishment or healthcare facility.

Present law authorizes the coroner to bury the abandoned body as provided for indigents if the decedent had no known property or assets of sufficient value to defray the expenses of burial.

Proposed law retains present law but authorizes the coroner to dispose of such abandoned remains as provided for indigents if the decedent had no known property or asset of sufficient value to defray the expenses of disposition.

Present law requires the coroner to cause a body to be interred within 30 days, preferably by a recognized funeral home if a body is unclaimed by friends or relatives and the decedent had known assets or property of a sufficient value to defray the expenses of burial.

Proposed law requires the coroner to cause human remains to be interred within 30 days, preferably by a recognized funeral establishment if such remains are not claimed, unclaimed or abandoned and the decedent had known assets or property of a sufficient value to defray the expenses of disposition.

Proposed law provides that the remains of a decedent in the possession of a funeral establishment or healthcare facility are deemed abandoned if the person or persons authorized by law to control the disposition orally or in writing refuses to make arrangements or provide for the disposition of the decedent or fails to make arrangements or provide for the disposition of the remains of a decedent after death at a healthcare facility or after the remains are in the possession of the funeral establishment.

Effective on July 1, 2014.

(Amends R.S. 9:1551 and R.S. 37:876; adds R.S. 8:1(20.1) and 655(C))