

2026 Regular Session

HOUSE BILL NO. 176

BY REPRESENTATIVE HEBERT

CEMETERIES: Provides with respect to the remains of certain individuals

1

AN ACT

2 To enact R.S. 8:659(C) and (D), relative to the remains of certain individuals; to provide for
3 the authority to determine the interment of remains of certain individuals; to limit
4 liability; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 8:659(C) and (D) are hereby enacted to read as follows:

7 §659. Permission to move remains

8 * * *

9 C.(1) Notwithstanding the provisions of Subsection A of this Section, if the
10 decedent dies in a manner described by 10 U.S.C. 1481(a)(1) through (8) while
11 serving in any branch of the United States Armed Forces, the United States Reserve
12 Forces, or the National Guard, and the decedent executed a United States Department
13 of Defense Record of Emergency Data, known as a DD Form 93, or its successor
14 form, the right to control interment for the decedent shall devolve upon the Person
15 Authorized to Direct Disposition, or the PADD, as indicated on the DD Form 93, or
16 its successor form.

17 (2) There shall be no liability for a cemetery authority, funeral establishment,
18 funeral director, crematory authority, or their employees or agents to whom a copy
19 of a DD Form 93 is presented, purportedly executed by the decedent for conduct
20 of the interment or other disposition of the decedent's remains, pursuant to the

1 instructions of the PADD as indicated on the DD Form 93, or for relying on the
2 representation of the PADD that the decedent dies in a manner described in
3 Paragraph (1) of this Subsection.

4 D.(1) In the event that the decedent had made multiple notarial testaments
5 or notarized declarations pursuant to Subsection A of this Section, the testament or
6 declaration, whichever is dated last, shall control interment of the decedent's
7 remains.

8 (2) In the event that the decedent had made one or more notarial testaments
9 or notarized declarations pursuant to Subsection A of this Section, and the decedent
10 executed a DD Form 93 and died in the manner described in Subsection C of this
11 Section, the testament, declaration, or the DD Form 93, whichever is dated last, shall
12 control interment of the decedent's remains.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 176 Original

2026 Regular Session

Hebert

Abstract: Provides relative to the remains of certain individuals.

Present law provides for the permission to move human remains.

Proposed law retains present law and provides for the interment of remains of a person who dies in a manner described by 10 U.S.C. 1481(a)(1) through (8) while serving in any branch of the United States Armed Forces, the United States Reserve Forces, or the National Guard.

Proposed law provides for applicability of the United States Department of Defense Record of Emergency Data, known as a DD Form 93, in the control of interment of a decedent.

Proposed law provides for control of the remains in the event that the decedent had made multiple notarial testaments or notarized declarations.

Proposed law provides for the control of the remains in the event that the decedent had made one or more notarial testaments or notarized declarations and the decedent executed a DD Form 93.

(Adds R.S. 8:659(C) and (D))