

HCS HB 1597 -- DISPOSITION OF HUMAN REMAINS (Fraker)

COMMITTEE OF ORIGIN: Standing Committee on Judiciary

Currently, the surviving spouse is first on the hierarchy of an individual's next-of-kin authorized to assume responsibility for the disposition of human remains. This bill exempts the surviving spouse when a dissolution of marriage has been filed and is pending in a court of competent jurisdiction.

This bill permits the next-of-kin to delegate the control of the final disposition of the remains of any dead human being to an agent through either a specific or general grant of power in accordance with Section 404.710, RSMo, if, at the time of delegation, the next-of-kin is 18 years of age or older and mentally competent and the principal or agent is taking financial responsibility for the disposition.

Currently, a person with an inferior claim must personally serve a written notice or send a written notice with delivery confirmation to a person with a superior claim if he or she desires to exercise his or her right of sepulcher. This bill allows the individual with the inferior claim to notify the person with the superior claim in person or by written notice with delivery confirmation to the person's last known address.

This bill is similar to HB 909 (2017).