

# HOUSE BILL REPORT

## 2SSB 5800

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As Reported By House Committee On:  
Judiciary

**Title:** An act relating to violation of human remains.

**Brief Description:** Increasing the penalty for violating human remains.

**Sponsors:** Senate Committee on Law & Justice (originally sponsored by Senators Nelson, A. Smith and Winsley).

**Brief History:**

Reported by House Committee on:  
Judiciary, February 25, 1994, DP.

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### HOUSE COMMITTEE ON JUDICIARY

**Majority Report:** Do pass. Signed by 17 members:  
Representatives Appelwick, Chair; Johanson, Vice Chair;  
Padden, Ranking Minority Member; Ballasiotes, Assistant  
Ranking Minority Member; Campbell; Chappell; Eide; Forner;  
J. Kohl; Long; Morris; H. Myers; Riley; Schmidt; Scott; Tate  
and Wineberry.

**Staff:** Bill Perry (786-7123).

**Background:** The mutilation of human remains or the unauthorized disinterment or removal of human remains from a place of interment is a crime. The offense is an unranked felony punishable by up to three years in prison and up to a \$1,000 fine. The presumptive sentence of incarceration for a first-time offender under the Sentencing Reform Act is up to one year in jail.

Under prior law, sexual intercourse with a dead body was the equivalent of a class B felony. In 1975, however, that crime was eliminated as part of the general repeal of most of the so-called sodomy and bestiality laws.

**Summary of Bill:** Sexual intercourse or sexual contact with a dead human body is made a class C felony. The maximum penalty for the offense is five years in prison and a \$10,000 fine. The offense is ranked at Level V under the Sentencing Reform Act, which means that for a first-time offender the presumptive sentence of incarceration is six to 12 months in jail.

**Fiscal Note:** Not requested.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Testimony For:** None.

**Testimony Against:** None.

**Witnesses:** None.