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## Public Safety Committee

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### SSB 6261

**Brief Description:** Concerning human remains.

**Sponsors:** Senate Committee on Law & Justice (originally sponsored by Senators Padden, Pedersen and Miloscia).

#### Brief Summary of Substitute Bill

- Adds a medical examiner as an additional person (in addition to the coroner) that an individual can notify when he or she knows of the existence and location of human remains.
- Substitutes the term "dead body" for "human remains" thus making it illegal to move or conceal human remains.

**Hearing Date:** 2/23/16

**Staff:** Yvonne Walker (786-7841).

#### Background:

It is the duty of every person who knows of the existence and location of a dead body to notify the coroner in the most expeditious manner possible, unless such person has good reason to believe that such notice has already been given. Any person who fails to give notice to the coroner is guilty of a misdemeanor offense.

A person is guilty of a gross misdemeanor offense, if not authorized by the coroner, the person moves or conceals or aids in the removal or concealment of the body of a deceased person:

- not claimed by a relative or friend;
- who came to their death by reason of violence or unnatural causes; or
- where there exists reasonable grounds that the death of the person was caused by unlawful means at the hands of another.

This offense is punishable by a fine of not more than \$1,000, imprisonment of up to 364 days in jail, or both imprisonment and a fine.

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

A misdemeanor offense is punishable by a sentence of up to 90 days in jail, or a maximum fine of \$1,000, or both imprisonment and a fine. A gross misdemeanor offense is punishable by a sentence of up to 364 days in jail or a maximum fine of \$5,000, or both imprisonment and a fine.

"Human remains" means the body of a deceased person which includes the body in any stage of decomposition, and includes cremated human remains.

**Summary of Bill:**

A medical examiner is added as an additional person (in addition to the coroner) that an individual can notify when he or she knows of the existence and location of human remains.

"Knowingly" is added as an element of the crime of moving or concealing human remains; thus making the act of knowingly moving or concealing human remains without authorization a gross misdemeanor offense.

In evaluating whether it is necessary to retain jurisdiction and custody over human remains, a coroner or medical director must consider the deceased person's religious beliefs, if known, including tenets, customs, and rites related to death and burial.

The term "dead body" is substituted for "human remains," which also includes skeletal remains.

**Appropriation:** None.

**Fiscal Note:** Requested on February 18, 2016.

**Effective Date:** The bill takes effect 90 days after adjournment of the session in which the bill is passed.