

HB 585 -- RIGHT OF SEPULCHER

SPONSOR: Houx

COMMITTEE ACTION: Voted "Do Pass by Consent" by the Standing Committee on Judiciary by a vote of 10 to 0. Voted "Do Pass-Consent" by the Standing Committee on Consent and House Procedure by a vote of 8 to 0.

Current law provides a list, in the order of priority, of next-of-kin who have the right to control the disposition of a dead human body. This bill provides that the surviving spouse will not be considered as next-of-kin if an action for dissolution of marriage has been filed and is pending in a court of competent jurisdiction. Additionally, the next-of-kin of a deceased person may delegate the final disposition of the deceased to an agent through a power of attorney.

Under this bill, an individual with a superior claim to the disposition of the deceased may be notified in person or by written notice with delivery confirmation, rather than "personally served with written notice" by a person with an inferior claim who has the desire to exercise the right to control the final disposition of the deceased.

PROPOSERS: Supporters say that if you are going through a divorce and it is pending and someone dies, the body goes back to the person's next of kin, not the person the deceased is getting divorced from. It could cause the family more distress to have the person's spouse dispose of the body in a way that the family does not want.

Testifying for the bill were Representative Houx; Missouri Funeral Directors And Embalmers Association; and Arnie Dienoff.

OPPOSERS: There was no opposition voiced to the committee.

Written testimony has been submitted for this bill. The full written testimony can be found under Testimony on the bill page on the House website.