

HOUSE SUBSTITUTE FOR
SENATE BILL NO. 511

A bill to amend 1931 PA 328, entitled
"The Michigan penal code,"
(MCL 750.1 to 750.568) by adding section 160c.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

- 1 Sec. 160c. (1) A person shall not do any of the following:
- 2 (a) After agreeing to provide the services of a funeral
- 3 director, fail or refuse to properly supervise the final
- 4 disposition of that dead human body.
- 5 (b) After agreeing to provide for the final disposition of a
- 6 dead human body, fail or refuse to properly dispose of that dead
- 7 human body.
- 8 (2) A person who violates this section is guilty of a crime
- 9 as follows:
- 10 (a) If the failure or refusal to properly supervise the final
- 11 disposition of a dead human body or the failure or refusal to

1 properly dispose of the dead human body occurs more than 60 days
2 but not more than 180 days after the date the person takes
3 possession of the dead human body, the person is guilty of a
4 misdemeanor punishable by imprisonment for not more than 90 days
5 or a fine of not more than \$10,000.00, or both.

6 (b) If the failure or refusal to properly supervise the final
7 disposition of a dead human body or the failure or refusal to
8 properly dispose of the dead human body occurs more than 180 days
9 after the date the person takes possession of the dead human
10 body, the person is guilty of a felony punishable by imprisonment
11 for not more than 10 years or a fine of not more than \$50,000.00,
12 or both.

13 (3) It is not a violation of this section if the failure or
14 refusal is due to 1 or more of the following factors:

15 (a) Delays due to seasonal factors relating to the method of
16 final disposition of the dead human body.

17 (b) Delays due to the availability of services required to
18 complete the final disposition of the dead human body.

19 (c) The directives of the person having lawful authority over
20 final disposition of the dead human body to postpone that
21 disposition pending funeral services, the presence of certain
22 family members, or other activities.

23 (d) Delays due to the inability to obtain the necessary
24 authorizations regarding the method of final disposition of the
25 dead human body or due to the inability to locate individuals
26 essential to making a decision regarding the final disposition of
27 the dead human body.

1 (e) Delays due to an autopsy, investigation of the cause of
2 death, the gathering of evidence, or other activity or procedure
3 required by a governmental or law enforcement agency.

4 (f) Delays pursuant to an order issued by a court of
5 competent jurisdiction upon petition and showing of good cause
6 for a delay in the final disposition of a dead human body.

7 (4) This section does not prohibit a person from being
8 charged with, convicted of, or punished for any other violation
9 of law that is committed by that person while violating this
10 section.

11 (5) As used in this section, "final disposition of a dead
12 human body" means cremation, burial, entombment, or other method
13 of final disposition of a dead human body allowable under law.

14 Enacting section 1. This amendatory act takes effect April
15 1, 2004.