



**House
Legislative
Analysis
Section**

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DISINTERMENT/REINTERMENT

House Bill 4458

Sponsor: Rep. Gregory E. Pitoniak

Committee: Public Health

Complete to 3-14-94

A SUMMARY OF HOUSE BILL 4458 AS INTRODUCED 3-9-93

The bill would amend the Public Health Code basically to allow certain relatives of a dead person to have that person's remains disinterred from a burial plot owned by someone other than the dead person's surviving spouse, child, parent, or sibling. The bill also would specify, in order of priority, the relatives of a dead person whose approval would have to be obtained before the dead person's remains are buried or otherwise disposed of.

More specifically, the bill would prohibit people who were in charge of the premises where interment or other disposition of dead bodies was made from interring (or allowing the interment or other disposition of) a dead body or fetus without written authorization from one of the following relatives, if one exists, or the personal representative of the dead person's estate, in the following order: a spouse, child, parent, brother or sister, or the personal representative of the dead person's estate. If the person in charge of the burial premises knew of the existence of any of the people on this priority list and one or more of those people refuse to give written authorization for interment -- or if none of these people could be located after a reasonable effort -- the person in charge of the premises would have to sign an affidavit for each person in the order of priority described in the bill, stating the person's refusal to give authorization or stating the inability to locate the person.

When a surviving spouse, child, parent, or brother or sister (if one exists) requested the disinterment of the remains of a dead person buried in a plot owned by someone other than the spouse, child, parent, brother or sister, a court would be required to order the disinterment.

MCL 333.2850 and 333.2853

House Bill 4458 (3-14-94)