

House File 2472

H-8061

1 Amend House File 2472 as follows:

2 1. By striking everything after the enacting clause and
3 inserting:

4 <Section 1. Section 144.1, Code 2020, is amended by adding
5 the following new subsections:

6 NEW SUBSECTION. 3A. "*Cremated remains*" means all the
7 remains of the cremated human body recovered after the
8 completion of the cremation process, including pulverization
9 which leaves only bone fragments reduced to unidentifiable
10 dimensions, and may include the residue of any foreign matter
11 including casket material, bridgework, or eyeglasses that were
12 cremated with the human remains.

13 NEW SUBSECTION. 3B. "*Cremation*" means the technical
14 process, using heat and flame, that reduces human remains to
15 bone fragments, with the reduction taking place through heat
16 and evaporation. Cremation shall include the processing, and
17 may include the pulverization, of the bone fragments.

18 Sec. 2. Section 144.34, Code 2020, is amended to read as
19 follows:

20 **144.34 Disinterment — permit.**

21 1. a. Disinterment of a dead body or fetus, without a court
22 order, shall be allowed for the purpose of autopsy or reburial
23 only, and then only if accomplished supervised by a funeral
24 director. A permit for such disinterment and, thereafter,
25 reinterment shall be issued by the state registrar according to
26 rules adopted pursuant to ~~chapter 17A~~ or when ordered by the
27 district court of the county in which such body is buried.

28 b. Disinterment of cremated remains, without a court order,
29 shall be allowed, but only if supervised by a funeral director.

30 c. The state registrar, without a court order, shall not
31 issue a permit without the consent of the person authorized to
32 control the decedent's remains under ~~section 144C.5~~.

33 2. a. Disinterment of a dead body or fetus for the
34 purpose of reburial may be allowed by court order only upon a
35 showing of substantial benefit to the public, and then only if

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1 supervised by a funeral director.

2 b. Disinterment of a dead body or fetus for the purpose of
3 autopsy or reburial by court order shall be allowed only when
4 reasonable cause is shown that someone is criminally or civilly
5 responsible for such death, after hearing, upon reasonable
6 notice prescribed by the court to the person authorized to
7 control the decedent's remains under section 144C.5, and then
8 only if supervised by a funeral director.

9 c. Disinterment of a dead body or fetus for the purpose of
10 cremation may be allowed by court order only if supervised by a
11 funeral director. Subsequent to the disinterment, cremation
12 of the body shall only be allowed upon a determination by the
13 state or county medical examiner that the death was due to
14 natural causes.

15 3. A permit for disinterment shall be issued by the state
16 registrar according to rules adopted pursuant to chapter 17A
17 or when ordered by the district court of the county in which
18 such body is buried. A person authorized to control final
19 disposition of a decedent's remains under section 144C.5 is an
20 interested person and shall be entitled to notice prior to the
21 obtaining of a court order.

22 4. Due consideration under this section shall be given to
23 the public health, the dead, and the feelings of relatives
24 preferences of a person authorized to control final disposition
25 of a decedent's remains under section 144C.5, and any court
26 order.

27 Sec. 3. Section 144C.3, subsection 4, Code 2020, is amended
28 to read as follows:

29 4. A funeral director, an attorney, or any agent, owner, or
30 employee of a funeral establishment, cremation establishment,
31 cemetery, elder group home, assisted living program, adult day
32 services program, or licensed hospice program shall not serve
33 as a designee unless married to the declarant or related to the
34 declarant within the third degree of consanguinity.>

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