

Senate File 410 - Enrolled

Senate File 410

AN ACT

RELATING TO A DECLARATION CONCERNING THE FINAL DISPOSITION OF A
PERSON'S REMAINS AND INCLUDING APPLICABILITY PROVISIONS.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. Section 144B.1, subsection 2, Code 2017, is amended to read as follows:

2. "*Designee*" means a person named in a declaration under chapter 144C ~~that is contained in or attached to a durable power of attorney for health care.~~

Sec. 2. Section 144C.2, subsection 8, Code 2017, is amended to read as follows:

8. "*Declaration*" means a written instrument, ~~contained in or attached to a durable power of attorney for health care under chapter 144B,~~ that is executed by a declarant in accordance with the requirements of [this chapter](#), and that names a designee who shall have the sole responsibility and discretion for making decisions concerning the final disposition of the declarant's remains and the ceremonies planned after the declarant's death.

Sec. 3. Section 144C.6, subsection 2, unnumbered paragraph 1, Code 2017, is amended to read as follows:

A declaration executed pursuant to [this chapter](#) shall be in a written form that substantially complies with the form in [subsection 1](#), is properly completed, ~~is contained in or attached to a durable power of attorney for health care under chapter 144B,~~ and is dated and signed by the

declarant or another person acting on the declarant's behalf at the direction of and in the presence of the declarant. In addition, a declaration shall be either of the following:

Sec. 4. APPLICABILITY. This Act applies to a declaration executed by a declarant pursuant to the provisions of this Act on or after the effective date of this Act.

JACK WHITVER
President of the Senate

LINDA UPMEYER
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 410, Eighty-seventh General Assembly.

W. CHARLES SMITHSON
Secretary of the Senate

Approved _____, 2017

TERRY E. BRANSTAD
Governor