

House File 363 - Enrolled

House File 363

AN ACT

RELATING TO THE FINAL DISPOSITION OF REMAINS.

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

Section 1. Section 144C.5, subsection 1, unnumbered paragraph 1, Code 2025, is amended to read as follows:

~~The~~ Except as provided in subsection 4, the right to control final disposition of a decedent's remains or to make arrangements for the ceremony after a decedent's death vests in and devolves upon the following persons who are competent adults at the time of the decedent's death, in the following order:

Sec. 2. Section 144C.5, Code 2025, is amended by adding the following new subsection:

NEW SUBSECTION. 4. The right to control final disposition of a decedent's remains or to make arrangements for the ceremony after a decedent's death shall not vest in or devolve upon a person who is prohibited from acting as a designee pursuant to section 144C.8.

Sec. 3. Section 144C.8, Code 2025, is amended to read as follows:

144C.8 Forfeiture of designee's authority to control.

A designee or person with the authority to control under this chapter shall forfeit all rights and authority under a declaration, or by operation of section 144C.5, and all rights and authority under the declaration, or by operation of section 144C.5, shall vest in and devolve upon an alternate designee, or if there is none, vest in and devolve pursuant to section 144C.5, under either of the following circumstances:

1. The designee or person with the authority to control under this chapter is charged with murder in the first or second degree or voluntary manslaughter in connection with the declarant's death and those charges are known to a third party.

2. The designee or person with the authority to control under this chapter does not exercise the designee's authority under the declaration within twenty-four hours of receiving notification of the death of the declarant or within forty hours of the declarant's death, whichever is earlier.

PAT GRASSLEY
Speaker of the House

AMY SINCLAIR
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 363, Ninety-first General Assembly.

MEGHAN NELSON
Chief Clerk of the House

Approved _____, 2025

KIM REYNOLDS
Governor