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## DIGEST

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HB 102 Engrossed

2019 Regular Session

Jones

**Abstract:** Provides that a person arrested for certain enumerated crimes of a decedent shall not have the authority to control the disposition of the decedent's remains.

Present law provides that unless a decedent has otherwise specifically indicated by notarial testament or notarized declaration who has the right to control the disposition of his remains, a list of priority of kinship specified in present law shall be used.

Proposed law creates an exception to present law to prohibit a person from controlling the disposition of the remains of a decedent when a warrant or judicial determination of probable cause has been issued for his arrest for first degree murder, second degree murder, or manslaughter for the death of the decedent.

Present law regarding cremation provides a list of persons, in order of priority, who have the right to serve as an authorizing agent for cremation. Proposed law creates an exception to present law which provides that no person shall have the right to cremate a decedent when a warrant or judicial determination of probable cause for first degree murder, second degree murder, or manslaughter has been issued for his arrest for the death of the decedent.

(Amends R.S. 8:655(A)(intro. para.); Adds R.S. 8:655(F) and R.S. 37:876(H))

### Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Commerce to the original bill:

1. Limit the homicides for which a person is prohibited from controlling the remains of a decedent to first degree murder, second degree murder, and manslaughter.
2. Remove the provision that would prohibit a person from controlling the disposition of remains if he committed another crime that caused the decedent's death.
3. Provide that no person shall have the right to cremate a decedent when a warrant or judicial determination of probable cause for first degree murder, second degree murder, or manslaughter has been issued for his arrest for the death of the decedent.