

SENATE BILL 1187

By Niceley

AN ACT to amend Tennessee Code Annotated, Title 5; Title 6; Title 7; Title 11, Chapter 6; Title 46; Title 49; Title 62, Chapter 5 and Title 68, Chapter 4, Part 1, relative to human remains.

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

SECTION 1. Tennessee Code Annotated, Title 68, Chapter 4, Part 1, is amended by adding the following language as a new section:

68-4-113.

(a) For purposes of this section, “human remains” means the bodies of deceased persons, in whatever stage of decomposition, including, but not limited to, skeletal remains, mummies, or body parts. “Human remains” does not include the ashes of a person who has been lawfully cremated. “Human remains” does not include body parts or tissue which is removed for transplantation or other medical procedures or research.

(b) There is hereby imposed a moratorium on the use of public or private land for the above ground disposal of human remains for the purpose of studying the systematic decomposition of the human body. This moratorium shall not apply to any research facility engaged in the above ground study of human remains as of January 1, 2013.

(c) The moratorium described pursuant to this section shall last until the commissioner of environment and conservation and the commissioner of agriculture jointly promulgate and file with the secretary of state rules and regulations concerning permissible locations of facilities or tracks or land used for the above ground study of the decomposition of human remains. All such rules and regulations shall be promulgated in

accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter

5.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring
it.