

SENATE BILL No. 511

May 21, 2003, Introduced by Senators GILBERT, HAMMERSTROM, PATTERSON, TOY and GARCIA and referred to the Committee on Judiciary.

A bill to amend 1931 PA 328, entitled
"The Michigan penal code,"
(MCL 750.1 to 750.568) by adding section 160c.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 160c. (1) A person that has accepted money or other
2 consideration for agreeing to, or providing for, the final
3 disposition of human remains and that fails, neglects, or refuses
4 to fulfill the agreement within a reasonable time after entering
5 into the agreement or within a reasonable time after the death of
6 the beneficiary of the agreement, whichever is later, is guilty
7 of a felony punishable by imprisonment for not more than 10
8 years, a fine of not more than \$50,000.00, or both.

9 (2) As used in this section:

10 (a) "Final disposition of human remains" means cremation,
11 burial, entombment, or other method of final disposition of a

SENATE BILL No. 511

1 dead human body allowable under law.

2 (b) "Reasonable time" means a period of time considered
3 appropriate under circumstances that include, but are not limited
4 to, 1 or more of the following factors:

5 (i) The method of final disposition of human remains.

6 (ii) Delays due to seasonal factors relating to the method of
7 final disposition of human remains.

8 (iii) Delays due to the availability of services required to
9 complete the final disposition of human remains.

10 (iv) The desire of the next of kin, personal representative
11 of the deceased, or other person having lawful authority over
12 final disposition of human remains to postpone that disposition
13 pending funeral services, the presence of certain family members,
14 or other activities.

15 (v) Delays due to an autopsy, investigation of the cause of
16 death, the gathering of evidence, or other activity or procedure
17 required by a governmental or law enforcement agency.