S-4441.2

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**SUBSTITUTE SENATE BILL 6261**

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**State of Washington 64th Legislature 2016 Regular Session**

**By** Senate Law & Justice (originally sponsored by Senators Padden, Pedersen, and Miloscia)

AN ACT Relating to human remains; amending RCW 68.50.050 and 68.50.020; and prescribing penalties.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

**Sec.**  RCW 68.50.050 and 2011 c 96 s 48 are each amended to read as follows:

(1) Any person, not authorized or directed by the coroner or ((~~his~~)) medical examiner or ((~~her~~)) their deputies, who removes the body of a deceased person not claimed by a relative or friend, or ((~~who came to their death by reason of violence or from unnatural causes or where there shall exist reasonable grounds for the belief that such death has been caused by unlawful means at the hands of another~~)) moves, disturbs, molests, or interferes with the human remains coming within the jurisdiction of the coroner or medical examiner as set forth in RCW 68.50.010, to any undertaking rooms or elsewhere, or any person who knowingly directs, aids, or abets such unauthorized moving, disturbing, molesting, or taking, and any person who ((~~in any way~~)) knowingly conceals the ((~~body of a deceased person for the purpose of taking the same to any undertaking rooms or elsewhere~~)) human remains, shall in each of said cases be guilty of a gross misdemeanor ((~~and upon conviction thereof shall be punished by fine of not more than one thousand dollars, or by imprisonment in the county jail for up to three hundred sixty-four days or by both fine and imprisonment in the discretion of the court~~)).

(2) In evaluating whether it is necessary to retain jurisdiction and custody of human remains under RCW 68.50.010, 68.50.645, and 27.44.055, the coroner or medical examiner shall consider the deceased's religious beliefs, if known, including the tenets, customs, or rites related to death and burial.

(3) For purposes of this section and unless the context clearly requires otherwise, "human remains" has the same meaning as defined in RCW 68.04.020. Human remains also includes, but is not limited to, skeletal remains.

**Sec.**  RCW 68.50.020 and 1987 c 331 s 55 are each amended to read as follows:

It shall be the duty of every person who knows of the existence and location of ((~~a dead body~~)) human remains coming under the jurisdiction of the coroner or medical examiner as set forth in RCW 68.50.010 or 27.44.055, to notify the coroner or medical examiner thereof in the most expeditious manner possible, unless such person shall have good reason to believe that such notice has already been given. Any person knowing of the existence of such ((~~dead body~~)) human remains and not having good reason to believe that the coroner has notice thereof and who shall fail to give notice to the coroner as aforesaid, shall be guilty of a misdemeanor. For purposes of this section and unless the context clearly requires otherwise, "human remains" has the same meaning as defined in RCW 68.04.020. Human remains also includes, but is not limited to, skeletal remains.

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