

2 **SHB 1195** - S AMD
3 By Senator A. Smith

4 ADOPTED 4/12/93

5 Strike everything after the enacting clause and insert the
6 following:

7 "**Sec. 1.** RCW 68.50.160 and 1992 c 108 s 1 are each amended to read
8 as follows:

9 (1) A person has the right to control the disposition of his or her
10 own remains without the predeath or postdeath consent of another
11 person. A valid written document expressing the decedent's wishes
12 regarding the place or method of disposition of his or her remains,
13 signed by the decedent in the presence of a witness, is sufficient
14 legal authorization for the procedures to be accomplished.

15 (2) Prearrangements that are prepaid, or filed with a licensed
16 funeral establishment or cemetery authority, under RCW 18.39.280
17 through 18.39.345 and chapter 68.46 RCW are not subject to cancellation
18 or substantial revision by survivors. Absent actual knowledge of
19 contrary legal authorization under this section, a licensed funeral
20 establishment or cemetery authority shall not be held criminally nor
21 civilly liable for acting upon such prearrangements.

22 (3) If the decedent has not made a prearrangement as set forth in
23 subsection (2) of this section or the costs of executing the decedent's
24 wishes regarding the disposition of the decedent's remains exceeds a
25 reasonable amount or directions have not been given by the decedent,
26 the right to control the disposition of the remains of a deceased
27 person(~~(, unless other directions have been given by the decedent,~~))
28 vests in, and the duty of disposition and the liability for the
29 reasonable cost of preparation, care, and disposition of such remains
30 devolves upon the following in the order named:

31 ((+1)) (a) The surviving spouse.

32 ((+2)) (b) The surviving adult children of the decedent.

33 ((+3)) (c) The surviving parents of the decedent.

34 (d) The surviving siblings of the decedent.

35 (e) A person acting as a representative of the decedent under the
36 signed authorization of the decedent.

