

HOUSE BILL REPORT

2SSB 5800

As Passed House
March 3, 1994

Title: An act relating to violation of human remains.

Brief Description: Increasing the penalty for violating human remains.

Sponsors: Senate Committee on Law & Justice (originally sponsored by Senators Nelson, A. Smith and Winsley).

Brief History:

Reported by House Committee on:
Judiciary, February 25, 1994, DP.
Passed House, March 3, 1994, 95-0.

HOUSE COMMITTEE ON JUDICIARY

Majority Report: Do pass. Signed by 17 members:
Representatives Appelwick, Chair; Johanson, Vice Chair;
Padden, Ranking Minority Member; Ballasiotes, Assistant
Ranking Minority Member; Campbell; Chappell; Eide; Forner;
J. Kohl; Long; Morris; H. Myers; Riley; Schmidt; Scott; Tate
and Wineberry.

Staff: Bill Perry (786-7123).

Background: The mutilation of human remains or the unauthorized disinterment or removal of human remains from a place of interment is a crime. The offense is an unranked felony punishable by up to three years in prison and up to a \$1,000 fine. The presumptive sentence of incarceration for a first-time offender under the Sentencing Reform Act is up to one year in jail.

Under prior law, sexual intercourse with a dead body was the equivalent of a class B felony. In 1975, however, that crime was eliminated as part of the general repeal of most of the so-called sodomy and bestiality laws.

Summary of Bill: Sexual intercourse or sexual contact with a dead human body is made a class C felony. The maximum penalty for the offense is five years in prison and a \$10,000 fine. The offense is ranked at Level V under the Sentencing Reform Act, which means that for a first-time

offender the presumptive sentence of incarceration is six to 12 months in jail.

Fiscal Note: Not requested.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: None.

Testimony Against: None.

Witnesses: None.