

SENATE BILL REPORT

SHB 2328

AS REPORTED BY COMMITTEE ON LAW & JUSTICE, FEBRUARY 27, 1992

Brief Description: Allowing a person to dictate the disposition of his or her remains.

SPONSORS: House Committee on Financial Institutions & Insurance (originally sponsored by Representatives Winsley and Silver)

HOUSE COMMITTEE ON FINANCIAL INSTITUTIONS & INSURANCE

SENATE COMMITTEE ON LAW & JUSTICE

Majority Report: Do pass.

Signed by Senators Nelson, Chairman; Thorsness, Vice Chairman; Erwin, M. Kreidler, Madsen, Newhouse, Rasmussen, and A. Smith.

Staff: Susan Carlson (786-7418)

Hearing Dates: February 27, 1992

BACKGROUND:

In the absence of contrary direction by the decedent prior to death, the control over and liability for the costs of the decedent's interment rests, in descending order, with the surviving spouse, surviving children, and surviving parents. When these persons do not survive the decedent, or cannot be found, effectuation of the decedent's wishes can be difficult. It has been suggested that if there is no surviving spouse, children, or parents, the personal representative should have the right to authorize cremation.

SUMMARY:

If no spouse, child, or parent survives the decedent, a personal representative of the decedent or the decedent's estate has the right to authorize cremation. In this situation, the crematory may not be held criminally or civilly liable for cremating the decedent's remains.

Appropriation: none

Revenue: none

Fiscal Note: none requested

TESTIMONY FOR:

If a decedent is not survived by a spouse, child, or parent, the bill would allow authorization for cremation by a personal representative.

TESTIMONY AGAINST: None

TESTIFIED: PRO: Representative Shirley Winsley, prime sponsor;
James Noel, T. K. Bentler, Washington State Funeral Director's
Association and Washington Interment Association