

CERTIFICATION OF ENROLLMENT

SUBSTITUTE HOUSE BILL 1195

Chapter 297, Laws of 1993

53rd Legislature
1993 Regular Session

HUMAN REMAINS--RIGHT OF PERSON TO CONTROL DISPOSITION
OF OWN REMAINS

EFFECTIVE DATE: 7/25/93

Passed by the House April 19, 1993
Yeas 95 Nays 0

BRIAN EBERSOLE
**Speaker of the
House of Representatives**

Passed by the Senate April 12, 1993
Yeas 43 Nays 2

JOEL PRITCHARD
President of the Senate

Approved May 12, 1993

MIKE LOWRY
Governor of the State of Washington

CERTIFICATE

I, Alan Thompson, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **SUBSTITUTE HOUSE BILL 1195** as passed by the House of Representatives and the Senate on the dates hereon set forth.

ALAN THOMPSON
Chief Clerk

FILED

May 12, 1993 - 10:22 a.m.

**Secretary of State
State of Washington**

SUBSTITUTE HOUSE BILL 1195

AS AMENDED BY THE SENATE

Passed Legislature - 1993 Regular Session

State of Washington 53rd Legislature 1993 Regular Session

By House Committee on Judiciary (originally sponsored by Representatives Anderson, Sommers, Jacobsen, G. Cole, Johanson, J. Kohl and Leonard)

Read first time 02/19/93.

1 AN ACT Relating to the right of a person to control the disposition
2 of a person's remains; and amending RCW 68.50.160.

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

4 **Sec. 1.** RCW 68.50.160 and 1992 c 108 s 1 are each amended to read
5 as follows:

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

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

1 (3) If the decedent has not made a prearrangement as set forth in
2 subsection (2) of this section or the costs of executing the decedent's
3 wishes regarding the disposition of the decedent's remains exceeds a
4 reasonable amount or directions have not been given by the decedent,
5 the right to control the disposition of the remains of a deceased
6 person(~~(, unless other directions have been given by the decedent,)~~)
7 vests in, and the duty of disposition and the liability for the
8 reasonable cost of preparation, care, and disposition of such remains
9 devolves upon the following in the order named:

10 ~~((1))~~ (a) The surviving spouse.

11 ~~((2))~~ (b) The surviving adult children of the decedent.

12 ~~((3))~~ (c) The surviving parents of the decedent.

13 (d) The surviving siblings of the decedent.

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

16 (4) The liability for the reasonable cost of preparation, care, and
17 disposition devolves jointly and severally upon all kin of the decedent
18 (~~hereinbefore mentioned~~) in the same degree of kindred, in the order
19 listed in subsection (3) of this section, and upon the estate of the
20 decedent.

Passed the House April 19, 1993.

Passed the Senate April 12, 1993.

Approved by the Governor May 12, 1993.

Filed in Office of Secretary of State May 12, 1993.