
HOUSE BILL 1253

State of Washington 60th Legislature 2007 Regular Session

By Representatives Dickerson, Schual-Berke, Campbell, Santos, Kenney and Moeller

Read first time 01/15/2007. Referred to Committee on Health Care & Wellness.

1 AN ACT Relating to the commercial display of human remains; adding
2 a new section to chapter 68.50 RCW; and prescribing penalties.

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

4 NEW SECTION. **Sec. 1.** A new section is added to chapter 68.50 RCW
5 to read as follows:

6 (1)(a) It is unlawful to display human remains to the public for
7 commercial purposes without valid written authorization from the
8 deceased. The valid written authorization may be given in the last
9 will of the deceased or in a document created under RCW 68.50.160 or
10 68.50.540, or by a person who has the right to control the disposition
11 of the remains under RCW 68.50.160. The secretary of the department of
12 health or the secretary's designee must, prior to the display,
13 determine the adequacy of the documentation offered to establish
14 authorization for display.

15 (b) Human remains are presumed to be held in compliance with this
16 section when the remains are in the possession of an institution
17 accredited as a museum or in the possession of an accredited
18 institution of higher education.

19 (2) This section does not apply to the display of human remains:

- 1 (a) More than one hundred years old;
2 (b) Consisting solely of human teeth or hair;
3 (c) As part of the ordinary display or viewing of the deceased at
4 a funeral establishment licensed under chapter 18.39 RCW, or as part of
5 a similar funeral or memorial service; or
6 (d) As objects of religious veneration.
- 7 (3) A violation of this section is a misdemeanor punishable under
8 chapter 9A.20 RCW. The attorney general or the appropriate prosecuting
9 attorney may bring an action to enjoin a violation of this section in
10 the superior court of Thurston county or the county in which the
11 violation occurs or is about to occur.
- 12 (4) As used in this section, "commercial purposes" includes any
13 display for which the public is charged a fee or other consideration.

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