

SUBSTITUTE FOR
SENATE BILL NO. 511

A bill to amend 1931 PA 328, entitled
"The Michigan penal code,"
(MCL 750.1 to 750.568) by adding section 160c.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 160c. (1) A person who agrees to provide the services
2 of a funeral director or who agrees to provide for the final
3 disposition of a dead human body and fails or refuses to properly
4 supervise the final disposition of the dead human body or fails
5 or refuses to properly dispose of the dead human body within a
6 reasonable time after the death of the beneficiary of the
7 agreement is guilty of a felony punishable by imprisonment for
8 not more than 10 years, a fine of not more than \$50,000.00, or
9 both.

10 (2) As used in this section:

11 (a) "Final disposition of a dead human body" means cremation,

1 burial, entombment, or other method of final disposition of a
2 dead human body allowable under law.

3 (b) "Reasonable time" means a period of time considered
4 appropriate under circumstances that include, but are not limited
5 to, 1 or more of the following factors:

6 (i) The method of final disposition of the dead human body.

7 (ii) Delays due to seasonal factors relating to the method of
8 final disposition of the dead human body.

9 (iii) Delays due to the availability of services required to
10 complete the final disposition of the dead human body.

11 (iv) The desire of the next of kin, personal representative
12 of the deceased, or other person having lawful authority over
13 final disposition of the dead human body to postpone that
14 disposition pending funeral services, the presence of certain
15 family members, or other activities.

16 (v) Delays due to the inability to obtain the necessary
17 authorizations regarding the method of final disposition of the
18 dead human body or due to the inability to locate individuals
19 essential to making a decision regarding the final disposition of
20 the dead human body.

21 (vi) Delays due to an autopsy, investigation of the cause of
22 death, the gathering of evidence, or other activity or procedure
23 required by a governmental or law enforcement agency.

24 (3) This section does not prohibit a person from being
25 charged with, convicted of, or punished for any other violation
26 of law that is committed by that person while violating this
27 section.

1 Enacting section 1. This amendatory act takes effect
2 January 31, 2004.