

2023 Regular Session

SENATE BILL NO. 187

BY SENATOR KLEINPETER

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

CORONERS. Provides relative to cremation of bodies. (8/1/23)

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AN ACT

To amend and reenact R.S. 13:5716, relative to cremation of bodies; to provide for issuance of a permit for cremation by a coroner; to provide for denial of a permit for cremation by a coroner; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 13:5716 is hereby amended and reenacted to read as follows:

§5716. Cremation of bodies

A. If the cremation of a body is requested, the funeral director shall immediately notify the coroner who has jurisdiction in the death.

B. If, after the necessary investigation **of the facts surrounding the death**, the coroner is satisfied that there are no suspicious circumstances surrounding the death, he shall issue a permit for cremation.

C. If the investigation **of the facts surrounding the death** reveals suspicious circumstances, ~~or~~ the reasonable probability of the commission of a crime, **or other reason that requires an autopsy be performed**, the coroner shall deny the permit. After completion of the coroner's investigation, **including the autopsy and necessary removal of any specimens, organs, or other portions of the remains**

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as provided for in R.S. 13:5713, he may issue a permit for cremation.

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Brandi Cannon.

DIGEST

SB 187 Original

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Kleinpeter

Present law provides that if the cremation of a body is requested, the funeral director shall immediately notify the coroner who has jurisdiction in the death. Proposed law retains present law.

Present law provides that the coroner shall issue a permit for cremation if, after the necessary investigation, he is satisfied that there are no suspicious circumstances surrounding the death. Proposed law retains present law but clarifies that the investigation is of the facts surrounding the death.

Present law provides that the coroner shall deny the permit if the investigation reveals suspicious circumstances or the reasonable probability of the commission of a crime. Proposed law expands the reasons for denying the permit to include any other reason that requires an autopsy be performed.

Present law further provides that the coroner may issue a permit for cremation after completion of his investigation. Proposed law specifies that the coroner may issue the permit after completion of the coroner's investigation, including the autopsy and necessary removal of any specimens, organs, or other portions of the remains as provided for in present law.

Effective August 1, 2023.

(Amends R.S. 13:5716)