

SENATE BILL NO. 481

BY SENATOR WALSWORTH

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AN ACT

To amend and reenact R.S. 8:659(A) and to enact R.S. 8:660(5), relative to human remains; to provide relative to permission to move human remains; to provide for exceptions; to provide for terms, conditions, and procedures; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 8:659(A) is hereby amended and reenacted and R.S. 8:660(5) is hereby enacted to read as follows:

§659. Permission to move remains

A. The remains of a deceased person may be moved from a cemetery space to another cemetery space in the same cemetery or to another cemetery with the consent of the cemetery authority and the written consent of one of the following, in the order named, unless other specific directions, ~~in writing~~ in the form of a notarial testament or a written and notarized declaration, have been given by the decedent:

(1) The surviving spouse, if there is no pending petition for divorce ~~has been~~ filed by either spouse prior to the death of the decedent spouse.

(2) ~~The~~ A majority of the surviving adult children of the decedent, ~~not including grandchildren or other more remote descendants.~~

(3) A majority of the surviving adult grandchildren of the decedent.

~~(4)~~ The surviving parents of the decedent.

~~(4)(5)~~ The A majority of the surviving adult ~~brothers and sisters~~ siblings of the decedent.

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§660. Exceptions

The foregoing Sections shall not apply to or prohibit the following:

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(5) The moving, identification, and reinterment of caskets, coffins, vaults, other outer burial containers, remains, and associated burial artifacts, displaced by a force majeure event and undertaken by the cemetery authority or its designee or any authorized government entity or its designee following a municipal, parish, or state declaration of emergency.

Section 2. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval.

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____