H.B. 265
POSTMORTEM PROCEDURES AMENDMENTS

HOUSE FLOOR AMENDMENTS   AMENDMENT 1   FEBRUARY 5, 2009   5:53 PM

Representative **Bradley M. Daw** proposes the following amendments:

1. *Page 1, Line 24:*

    24   •   is a dispositioner, if a funeral service director is not retained;

    ▸ **provides that a dispositioner may not sign a certificate of death, unless the signature is witnessed by the state registrar or a local registrar;**

2. *Page 2, Line 29:*

    29   •   possessing, transporting, and disposing of a dead body or dead fetus;

    ▸ **provides that it is unlawful for a dispositioner to charge for, or receive remuneration for, signing a certificate of death or performing other duties of a dispositioner;**

3. *Page 3, Lines 69 through 75:*

    69   (5) "Dispositioner" means:

    70   (a) a person designated in a written instrument, under Subsection 58-9-602(1), as

    71   having the right and duty to control the disposition of the decedent **, if the person voluntarily acts as the dispositioner** ; or

    72   (b) the next of kin of the decedent, if:

    73   (i) **(A)** a person has not been designated as described in Subsection (5)(a); or

    74   { ~~(ii)~~ } **(B)** the person described in Subsection (5)(a) is unable or unwilling to exercise the

    75   right and duty described in Subsection (5)(a) **; and**

         (ii) the next of kin voluntarily acts as the dispositioner .

4. *Page 5, Lines 132 through 133:*

    132   (4) (a) **{ ~~The~~ }** **Subject to Subsections (4)(d) and (10), a** custodial funeral service director or, if a funeral service director is not

    133   retained, a dispositioner shall sign the certificate of death.

5. *Page 5, Line 139:*

    139   (c) The certificate of death may not include the decedent's Social Security number.

    (d) A dispositioner may not sign a certificate of death, unless the signature is witnessed by the state registrar or a local registrar.

6. *Page 6, Line 173:*

173   (ii) identify the court and <u>the</u> date of the order.

(10)   It is unlawful for a dispositioner to charge for or accept any remuneration for:

(a)   signing a certificate of death; or

(b)   performing any other duty of a dispositioner, as described in this section.

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