



February 15, 2011

HOUSE BILL No. 1432

DIGEST OF HB 1432 (Updated February 14, 2011 12:02 pm - DI 107)

Citations Affected: IC 23-14.

Synopsis: Disinterment of human remains. Provides that a court may authorize the removal of the remains of a deceased human from a cemetery for certain purposes if the: (1) consent of the owner of the cemetery cannot be obtained; or (2) identity of certain individuals from whom consent is required cannot be determined.

Effective: July 1, 2011.

GiaQuinta, Battles

January 18, 2011, read first time and referred to Committee on Judiciary.
February 14, 2011, amended, reported — Do Pass.

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HB 1432—LS 7435/DI 107+



February 15, 2011

First Regular Session 117th General Assembly (2011)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2010 Regular Session of the General Assembly.

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HOUSE BILL No. 1432

A BILL FOR AN ACT to amend the Indiana Code concerning business and other associations.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 23-14-57-5, AS AMENDED BY P.L.113-2007,
 2 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 3 JULY 1, 2011]: Sec. 5. (a) The remains of a deceased human interred,
 4 entombed, or inurned in a plot in a cemetery may be removed from the
 5 plot for the purpose of autopsy or reinterment, reentombment, or
 6 reinurnment in another cemetery with:
 7 (1) the consent of the owner of the cemetery; and
 8 (2) the written consent of an individual authorized to give consent
 9 under section 1(b)(3) of this chapter.
 10 (b) If the: ~~consent of~~:
 11 (1) **consent of** the owner of the cemetery **cannot be obtained**; or
 12 (2) **identity of** a person from whom consent is required under
 13 subsection (a)(2) **cannot be determined**;
 14 ~~cannot be obtained~~; the remains of a deceased human can be removed
 15 for the purpose of autopsy or reinterment, reentombment, or
 16 reinurnment in another cemetery only under a judgment of the circuit
 17 or superior court with jurisdiction in the county in which the cemetery

HB 1432—LS 7435/DI 107+



1 is located.

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Judiciary, to which was referred House Bill 1432, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, line 10, delete "the" and insert "the:".

Page 1, line 10, delete "identity".

Page 1, line 10, strike "of:".

Page 1, line 11, after "(1)" insert "**consent of**".

Page 1, line 11, delete ";" and insert "**cannot be obtained;**".

Page 1, line 12, after "(2)" insert "**identity of**".

Page 1, line 13, delete ";" and insert "**cannot be determined;**".

Page 1, line 14, strike "cannot be".

Page 1, line 14, delete "**determined,**".

and when so amended that said bill do pass.

(Reference is to HB 1432 as introduced.)

FOLEY, Chair

Committee Vote: yeas 8, nays 0.

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