

House Bill No. 1633

An act relating to unclaimed bodies; amending s. 245.06, F.S.; providing procedures for disposition of unclaimed bodies of veterans; requiring that any contract for disposal of unclaimed remains by a local governmental entity provide for compliance with certain state and federal regulations; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Section 245.06, Florida Statutes, is amended to read:

245.06 Unclaimed dead bodies or human remains; disposition, procedure.—All public officers, agents, or employees of every county, city, village, town, or municipality and every person in charge of any prison, morgue, hospital, funeral parlor, or mortuary and all other persons coming into possession, charge, or control of any dead human body or remains which are ~~is~~ unclaimed or which are ~~is~~ required to be buried or cremated at public expense are hereby required to notify, immediately, the anatomical board, whenever any such body, ~~or~~ bodies, or remains come into its possession, charge, or control. Notification of the anatomical board is not required if the death was caused by crushing injury, the deceased had a contagious disease, an autopsy was required to determine cause of death, the body was in a state of severe decomposition, or a family member objects to use of the body for medical education and research.

(1) The person or entity in charge or control of the dead body or human remains shall make a reasonable effort to determine:

(a) The identity of the deceased person body and shall further make a reasonable effort to contact any relatives of such deceased person.

(b) Whether or not the deceased person is entitled to burial in a national cemetery as a veteran of the armed forces and, if so, shall make arrangements for such burial services in accordance with the provisions of 38 C.F.R. For purposes of this subsection “a reasonable effort” includes contacting the county veterans service office or regional office of the United States Department of Veterans Affairs.

(2) Such dead human bodies as described in this chapter shall be delivered to the anatomical board as soon as possible after death.

(3) Nothing herein shall affect the right of a medical examiner to hold such dead body or remains for the purpose of investigating the cause of death, nor shall this chapter affect the right of any court of competent jurisdiction to enter an order affecting the disposition of such body or remains.

For purposes of this chapter, the term “anatomical board” means the anatomical board of this state located at the University of Florida Health Science Center.

Section 2. Any contract by a local governmental entity for the disposal of unclaimed human remains must provide for compliance with s. 245.06(1), Florida Statutes, and require that the procedures in 38 C.F.R., relating to disposition of unclaimed deceased veterans, be followed.

Section 3. This act shall take effect upon becoming a law.

Approved by the Governor April 29, 2002.

Filed in Office Secretary of State April 29, 2002.