

HOUSE BILL 2494  
By Caldwell

AN ACT to amend Tennessee Code Annotated, Title 62, Chapter 5, relative to the disposal of dead human bodies.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 62-5-502, is amended in subsection (c) by deleting the following language and punctuation:

, unless a person identified as being entitled to act as the authorizing agent for the cremation of the decedent in the absence of the postmortem authorization has modified, in writing, the arrangements for the final disposition of the cremated remains of the decedent or has cancelled the cremation and made alternative arrangements for the final disposition of the decedent's body

SECTION 2. Tennessee Code Annotated, Section 62-5-502, is amended by deleting subsection (d) in its entirety and by substituting instead the following:

(d) An antemortem cremation authorization form executed pursuant to subsection (a) for conducting the cremation of the person named in the authorization form and for the final disposition of the person's cremated remains is binding upon the guardian, custodian or other personal representative of the decedent, unless the authorizing agent signing such antemortem cremation authorization form modifies or

cancels such form prior to the death of the person to be cremated. Failure of any guardian, custodian or other personal representative of the decedent to comply with a valid antemortem authorization form is punishable as a Class B misdemeanor.

SECTION 3. Tennessee Code Annotated, Section 62-5-506, is amended by deleting subsection (c) in its entirety and by substituting instead the following:

(c) At any time after executing a cremation authorization form and prior to the beginning of the cremation process, the person executing such cremation authorization form may revoke such cremation authorization form and cancel the cremation. Any payment for a cremation that is revoked pursuant to this subsection shall be returned to the person who made such payment, minus reasonable administrative expenses.

SECTION 4. Tennessee Code Annotated, Section 62-5-506, is amended by deleting subsection (d) in its entirety.

SECTION 5. This act shall take effect July 1, 2000, the public welfare requiring it.