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# A BILL FOR AN ACT

RELATING TO DEAD HUMAN BODIES.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1           SECTION 1. Section 327-38, Hawaii Revised Statutes, is  
2 amended to read as follows:

3           "§327-38 Prohibitions; penalty. (a) No person shall  
4 give, offer, or promise any money or other things of value to  
5 any other person in consideration of receiving a dead human  
6 body.

7           (b) No person shall provide a dead human body to any other  
8 person in consideration of any money or other things of value,  
9 or any offer or promise of money or other things of value.

10           (c) As used in this section, "dead human body":

11           (1) Means a lifeless human body, or any part of a lifeless  
12 human body, including the bones thereof, from the  
13 state of which it reasonably may be concluded that  
14 death recently occurred; and

15           (2) Includes plastinated human bodies or remains,  
16 including tissue, organs, and other body parts, that  
17 are preserved from decay by replacing the water and  
18 fats in the human remains with a polymer.



1           ~~[(b)]~~ (d) No university, hospital, or institution shall  
2 use a body received under this part for any purpose except  
3 medical education and research.

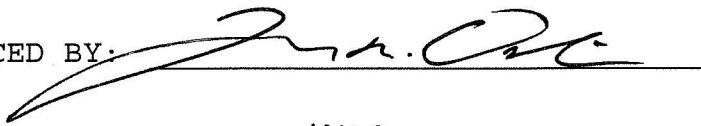
4           ~~[(e)]~~ (e) Any person who violates this section shall be  
5 fined not more than [~~\$1,000~~] \$5,000 or imprisoned not more than  
6 one year, or both."

7           SECTION 2. This Act does not affect rights and duties that  
8 matured, penalties that were incurred, and proceedings that were  
9 begun, before its effective date.

10           SECTION 3. Statutory material to be repealed is bracketed  
11 and stricken. New statutory material is underscored.

12           SECTION 4. This Act shall take effect upon its approval.

13

INTRODUCED BY: 

JAN 21 2009



**Report Title:**

Dead Bodies; Prohibitions; Penalty

**Description:**

Adds to the prohibition against buying dead human bodies, the selling of dead human bodies. Defines the term "dead human body" to include plastinated bodies and body parts. Increases the fine for buying or selling a dead human body to up to \$5,000.

