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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 thing of value, or  
9 any offer or promise of money or other thing of value.

10           (c) No person shall publicly display a dead human body for  
11 commercial purpose for profit or gain.

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

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

18           (f) As used in this section, "dead human body":

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

5        (2) Includes plastinated human bodies or remains,  
6        including tissue, organs, and other body parts, that  
7        are preserved from decay by replacing the water and  
8        fats in the human remains with a polymer."

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

12       SECTION 3. Statutory material to be repealed is bracketed  
13       and stricken. New statutory material is underscored.

14       SECTION 4. This Act shall take effect on July 1, 2050.

**Report Title:**

Dead Bodies; Prohibitions; Penalty

**Description:**

Adds to the prohibition against buying dead human bodies, the selling or commercial display 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. Effective July 1, 2050. (SD2)