
A BILL FOR AN ACT

RELATING TO DISINTERMENT OF HUMAN BODIES.

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

1 SECTION 1. Section 338-25.5, Hawaii Revised Statutes, is
2 amended by amending subsection (a) to read as follows:
3 "(a) No corpse, nor the remains of any dead human body,
4 exclusive of ashes, shall be exposed, disturbed, or removed from
5 its place of burial, nor shall the receptacle, container, or
6 coffin holding the remains or corpse be opened, removed, or
7 disturbed after due interment, except upon written application
8 made to the director of health for a permit therefor and upon
9 the issuance and according to the terms of a permit granted
10 therefor by the director. After any removal or disturbance the
11 grave shall be filled at once and restored to its former
12 condition. Private cemeteries in good standing with the
13 department of commerce and consumer affairs may disinter and
14 reinter a corpse or remains within the same cemetery without
15 filing an application for a permit from the department of health
16 if the cemetery authority has written authorization from the
17 majority of the next-of-kin of the person whose corpse or



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1 remains is disinterred; provided that this exception shall not
 2 apply to disinterment of a corpse or remains for transfer off of
 3 the cemetery property to another physical address. The cemetery
 4 authority shall require a licensed embalmer to be available
 5 during the disinterment in the event that human remains may be
 6 exposed. For the purposes of this section, "cemetery authority"
 7 has the same meaning as provided in section 441-1."

8 SECTION 2. New statutory material is underscored.

9 SECTION 3. This Act shall take effect on July 1, 2019.

10

INTRODUCED BY:

JAN 17 2019



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Report Title:

Private Cemeteries; Disinterment of Human Bodies

Description:

Allows private cemeteries in good standing with the Department of Commerce and Consumer Affairs to disinter and reinter human bodies within the same cemetery without filing an application for a permit with the Department of Health.

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