

# HOUSE BILL No. 5222

December 13, 2011, Introduced by Rep. Haugh and referred to the Committee on Regulatory Reform.

A bill to amend 1978 PA 368, entitled  
"Public health code,"  
by amending sections 2805 and 2850 (MCL 333.2805 and 333.2850),  
section 2805 as amended by 1996 PA 307, and by adding section 2849.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Sec. 2805. (1) "State registrar" means the official appointed  
2       under section 2813 or his or her authorized representative.

3       (2) "System of vital statistics" means the collection,  
4       certification, compilation, amendment, coordination, and  
5       preservation of vital records, including the tabulation, analysis,  
6       and publication of vital statistics.

7       (3) "Vital record" means a certificate or registration of  
8       birth, death, **DISPOSITION**, marriage, or divorce; an acknowledgment  
9       of parentage; or related data.

1           (4) "Vital statistics" means data derived from vital records  
2 and related reports.

3           SEC. 2849. (1) A FUNERAL DIRECTOR OR PERSON ACTING AS A  
4 FUNERAL DIRECTOR UNDER SECTION 2848(1), OR A FUNERAL DIRECTOR OR  
5 PERSON ASSUMING FINAL RESPONSIBILITY FOR THE FINAL DISPOSITION OF A  
6 FETUS UNDER SECTION 2848(2), AS APPLICABLE, IS RESPONSIBLE FOR THE  
7 TRANSPORTATION OF A DEAD BODY TO THE PREMISES WHERE THE FINAL  
8 DISPOSITION WILL TAKE PLACE. A FUNERAL DIRECTOR OR, IF SECTION  
9 2848(2) APPLIES, THE PERSON ASSUMING FINAL RESPONSIBILITY FOR THE  
10 FINAL DISPOSITION OF THE FETUS SHALL REMAIN WITH THE DEAD BODY  
11 UNTIL IT IS PROPERLY PLACED IN THE GROUND, CRYPT, CREMATION RETORT,  
12 OR DESIGNATED MEDICAL SCHOOL RECEIVING AREA, AS APPLICABLE.

13           (2) WITHIN 7 DAYS AFTER FINAL DISPOSITION OF A DEAD BODY, THE  
14 FUNERAL DIRECTOR, PERSON ACTING AS A FUNERAL DIRECTOR, OR PERSON  
15 ASSUMING FINAL RESPONSIBILITY FOR THE FINAL DISPOSITION OF A FETUS  
16 DESCRIBED IN SUBSECTION (1) SHALL ENSURE THAT A CERTIFICATE OF  
17 DISPOSITION, CERTIFIED BY A FUNERAL DIRECTOR LICENSED UNDER ARTICLE  
18 18 OF THE OCCUPATIONAL CODE, 1980 PA 299, MCL 339.1801 TO 339.1812,  
19 IS FILED WITH THE LOCAL REGISTRAR WITH WHICH THE DEATH REGISTRATION  
20 FOR THE DEAD BODY WAS FILED.

21           (3) THE DEPARTMENT SHALL PRESCRIBE THE FORM OF THE CERTIFICATE  
22 OF DISPOSITION DESCRIBED IN SUBSECTION (2). A CERTIFICATE OF  
23 DISPOSITION SHALL INCLUDE ALL OF THE FOLLOWING:

24           (A) THE NAME OF THE DECEASED AND THE DATE AND PLACE OF DEATH.

25           (B) THE DATE OF FINAL DISPOSITION.

26           (C) A COPY OF THE AUTHORIZATION FOR FINAL DISPOSITION UNDER  
27 SECTION 2848.

1 (D) THE NAME, ADDRESS, AND SIGNATURE OF THE INDIVIDUAL WHO  
2 TRANSPORTED THE DEAD BODY UNDER SUBSECTION (1).

3 (E) THE NAME, ADDRESS, AND SIGNATURE OF THE INDIVIDUAL WHO  
4 REMAINED WITH THE DEAD BODY UNDER SUBSECTION (1).

5 (F) THE NAME, ADDRESS, AND SIGNATURE OF THE INDIVIDUAL  
6 DESCRIBED IN SECTION 2850.

7 (G) THE NAME AND ADDRESS OF THE FUNERAL DIRECTOR THAT IS  
8 CERTIFYING THE CERTIFICATE OF DISPOSITION.

9 (H) ANY OTHER INFORMATION REQUIRED BY THE DEPARTMENT.

10 (4) IF A CERTIFICATE OF DISPOSITION IS FILED WITH A LOCAL  
11 REGISTRAR UNDER SUBSECTION (2), THE REGISTRAR SHALL PROVIDE A  
12 CERTIFIED COPY OF THE FILED CERTIFICATE, WITHOUT FEE, TO THE  
13 FUNERAL DIRECTOR THAT CERTIFIED THE CERTIFICATE AND TO THE  
14 INDIVIDUAL DESCRIBED IN SECTION 2850. EACH OF THEM SHALL RETAIN  
15 THAT CERTIFIED COPY IN HIS OR HER BUSINESS RECORDS FOR AT LEAST 5  
16 YEARS.

17 Sec. 2850. (1) An individual in charge of premises in which  
18 interments or other disposition of dead bodies is made shall not  
19 inter or allow interment or other disposition of a dead body or  
20 fetus unless it is accompanied by an authorization for final  
21 disposition **UNDER SECTION 2848.**

22 (2) An individual in charge of a place for final disposition  
23 shall keep a record of a final disposition made in the premises  
24 under his or her charge. The record shall state the name of the  
25 deceased, date and place of death, date of final disposition, and  
26 the name and address of the funeral director or person acting as a  
27 funeral director **UNDER SECTION 2848(1), OR THE FUNERAL DIRECTOR OR**

1 PERSON ASSUMING FINAL RESPONSIBILITY FOR THE FINAL DISPOSITION OF A  
2 FETUS UNDER SECTION 2848(2), AS APPLICABLE.