

HOUSE BILL NO. 4841

September 04, 2025, Introduced by Reps. Rigas, Pavlov, Outman, Schriver, BeGole, Aragona, Alexander, Greene, Posthumus, Thompson and Linting and referred to Committee on Health Policy.

A bill to amend 1978 PA 368, entitled
"Public health code,"
by amending sections 2848 and 2854 (MCL 333.2848 and 333.2854), as
amended by 2023 PA 209.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 2848. (1) Except as otherwise provided in sections 2844
2 and 2845, a funeral director or person acting as a funeral
3 director, who first assumes custody of a dead body, not later than
4 72 hours after death or the finding of a dead body and before final
5 disposition of the body, shall obtain authorization for the final

1 disposition. The authorization for final disposition of a dead body
2 must be issued on a form prescribed by the state registrar and
3 signed by the local registrar or the state registrar.

4 (2) Unless the mother has provided written consent for
5 research on the dead fetus under section 2688, before final
6 disposition of a dead fetus, irrespective of the duration of
7 pregnancy, the funeral director or person assuming responsibility
8 for the final disposition of the fetus or fetal remains shall
9 obtain from the parents, or parent if the mother is unmarried, an
10 authorization for final disposition on a form prescribed and
11 furnished or approved by the state registrar. The authorization may
12 allow final disposition to be by a funeral director, the individual
13 in charge of the institution where the fetus was delivered or
14 miscarried, or an institution or agency authorized to accept
15 donated bodies, fetuses, or fetal remains under this act. The
16 parents, or parent if the mother is unmarried, may direct the final
17 disposition to be interment or cremation as those terms are defined
18 in section 2 of the cemetery regulation act, 1968 PA 251, MCL
19 456.522, or incineration. After final disposition, the funeral
20 director, the individual in charge of the institution, or other
21 person making the final disposition shall retain the permit for not
22 less than 7 years. This section as amended by 2012 PA 499 does not
23 require a religious service or ceremony as part of the final
24 disposition of fetal remains.

25 (3) If final disposition is by cremation, the medical examiner
26 of the county in which death occurred shall sign the authorization
27 for final disposition.

28 (4) A body may be moved from the place of death to be prepared
29 for final disposition with the consent of the physician or county

1 medical examiner who certifies the cause of death.

2 (5) A permit for disposition issued under the law of another
3 state that accompanies a dead body or dead fetus brought into this
4 state is authorization for final disposition of the dead body or
5 dead fetus in this state.

6 (6) If a dead fetus that has completed less than 20 weeks of
7 gestation or weighs under 400 grams is delivered or miscarried in
8 an institution, a parent must be provided an opportunity to elect
9 the final disposition of that fetus or the fetal remains. A person
10 that violates this subsection is responsible for a state civil
11 infraction or guilty of a misdemeanor, as follows:

12 (a) For a first violation, the person is responsible for a
13 state civil infraction as provided under chapter 88 of the revised
14 judicature act of 1961, 1961 PA 236, MCL 600.8801 to 600.8835, and
15 may be ordered to pay a civil fine of not more than \$10,000.00 per
16 violation.

17 (b) For a second or subsequent violation, the person is guilty
18 of a misdemeanor punishable by imprisonment for not more than 90
19 days, a fine of not more than \$50,000.00, or both.

20 Sec. 2854. A—~~Except as otherwise provided in section 2848, a~~
21 ~~person who~~ ~~that~~ violates this part by failing to obtain the proper
22 authorization for final disposition of a dead body as provided
23 under section 2848 is responsible for a state civil infraction as
24 provided under chapter 88 of the revised judicature act of 1961,
25 1961 PA 236, MCL 600.8801 to 600.8835, and may be ordered to pay a
26 civil fine of not more than \$1,000.00 per violation.